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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

AT THE

CALLED SESSION

OF THE

Sixteenth General Assembly

OF THE

STATE OF TENNESSEE,

BEGUN AND HELD AT

NASHVILLE,

On Monday the sixteenth day of October,

IN THE YEAR OF OUR LORD ONE THOUSAND, EIGHT HUNDRED AND TWENTY-SIX.

By Authority.

PRINTED AT THE REPUBLICAN OFFICE

JOURNAL

OF THE

House of Representatives.

At a meeting of the General Assembly of the State of Tennessee, begun and held at Nashville, on Monday the 16th day of October, one thousand eight hundred and twenty-six, in pursuance of a proclamation of His Excellency William Carroll, bearing date the 11th day of August 1826, being the second session of the sixteenth General Assembly of the State:

On which day, being that fixed on by the proclamation of the Governor, for the meeting of the General Assembly—William Brady, of Rutherford, (the Speaker) William F. Brown (the Assistant Clerk,) and the following members of the House of Representatives appeared and took their seats, to wit:

From the Counties of

Carter and Washington,	James McAlister
Sullivan,	Elhanah R. Dulany
Greene,	John Balch
Grainger,	Robert Massengill.

Jefferson,	John McFarland
Knox,	Julian Frazier
Anderson,	William Tunnell
Cocke,	George Stuart
Blount and Monroe,	Jonathan Tipton
Roane and Morgan,	John Hope
Rhea, Hamilton & McMinn,	Thomas Kelly
Bledsoe & Marion,	Hopkins L. Turney
Overton and Fentress,	Jonathan Douglass
Jackson,	John Graham
White,	Woodson P. White
Warren,	Andrew Buchanan
Franklin,	Thomas H. Fletcher
Sumner,	Robert Desha
Wilson,	John Williamson
Davidson,	George W. Gibbs and William Lytle
Williamson,	William Martin and Samuel Perkins
Giles,	John H. Camp
Maury,	Isaac J. Thomas
Bedford,	Rob't. C. Thompson & Joseph Kincaid
Dixon,	Richard Batson
Montgomery,	Fred'k. W. Huling
Hickman and Lawrence.	William M. Crisp
Wayne, Hardin, McNairy, Hardeman, Fayette, Shelby & Tipton	Benjamin Harden
Lincoln,	William Moore
Robertson,	Richard Cheatham
Humphreys, Perry, Madison, Henderson, Carroll, Dyer, Haywood and Gibson.	Duncan McIver

The following new members also appeared, to wit: Peter Parsons from the county of Hawkins, to fill the vacancy occasioned by the resignation of William Young; and John M. Brabson, from the counties of Claiborne and Campbell to fill the vacancy occasioned by the resignation of William Hogan; who severally produced their credentials and

ook their seats, the oath prescribed by the Constitution being first administered to them by the Hon. Thomas Stuart, judge of the judicial circuit.

A quorum consisting of two thirds of the whole number of members, being present.

The Speaker laid before the House a letter of resignation from John P. Erwin esq. the Clerk; which was read at the clerk's table and accepted.

Whereupon On motion of Mr. Camp,

It was ordered: That the house do now elect their clerk, and on collecting and counting out the ballots, Mr. Desha and Mr. Turney the tellers, reported that Thomas J. Campbell had received a majority of the whole number of votes given in,

Upon which, Mr. Speaker announced Thomas J. Campbell to be elected the Clerk of this House whereupon an oath of office was administered to him by Elihu S. Hall esq. a Justice of the Peace for the county of Davidson.

Ordered: That the Clerk acquaint the Senate therewith.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

A quorum of the senate has convened in conformity with a proclamation of the Governor bearing date the 11th day of August 1826, and are ready to proceed to the despatch of public business.

The Senate propose the appointment of a joint select committee, to wait on the Governor, and inform him that the two houses of the General Assembly, are ready to receive any communication he may have to make them, in which they ask the concurrence of the House of Representatives; The Senate have appointed Mr. Hall and Mr. Henderson to be of said committee on their part.

And then he withdrew.

And the question being taken on agreeing to the said resolution of the Senate.

It was determined in the affirmative.

And Mr. Gibbs, Mr. Parsons, Mr. Martin and Mr. Thompson appointed to be of the said committe on part of this House.

Ordered: That the Clerk acquaint the Senate therewith.

On motion of Mr. Camp,

Ordered: That when the House adjourns, it will adjourn to meet to-morrow morning at 10 o'clock.

And then the house adjourned.

TUESDAY, OCTOBER 17, 1826.

Several other members to wit: Lewis Reneau from the county of Sevier, and William Fitzgerald from the county of Stuart appeared and took their seats.

Mr. McAlister presented the Clerk's return of the free male taxable inhabitants of the county of Carter.

Mr. Hardin a similar return from the Clerks of Wayne, Hardeman and Fayette.

Mr. McIver the Clerks' returns from the counties of Madison and Dyer.

Mr. Cheatham the Clerk's return from the county of Robertson.

Mr. Huling the Clerk's return from the county of Montgomery.

Mr. Batson the Clerk's return from the county of Dixon.

Mr. Thomas the Clerk's return from the county of Maury.

Mr. McFarland the Clerk's return from the county of Jefferson.

Mr. Frazier the Clerk's return from the county of Knox.

Mr. Parsons the Clerk's return from the county of Hawkins.

Mr. Camp the Clerk's return from the county of Giles.

Mr. Desha the Clerk's return from the county of Sumner.

Mr. Fletcher the Clerk's return from the county of Franklin.

Mr. White the Clerk's return from the county of White.

Mr. Kelly the Clerk's return from the county of Rhea.

Mr. Douglass the Clerks returns from the counties of Overton and Fentress.

Mr. Stuart the Clerk's return from the county of Cocke, and

Mr. Dulaney the Clerk's return from the county of Sullivan.

Mr. Harden presented the return of the Clerk of Wayne county of the number of Captains, Companies, and Justices of the Peace.

Ordered: that the said returns severally be laid upon the table.

Mr. Gibbs, from the joint select committee appointed to wait on the Governor of the state, and inform him that a quorum of the two Houses have assembled, and are ready to receive any communication he may be pleased to make them.

Reported: that the committee had performed that service, and that the Governor answered, that he would make a communication to the two Houses of the General Assembly in the forenoon of to day.

On motion of Mr. Fletcher,

Ordered: that Col. George Wilson and Mr. Isaac Stetson be permitted to occupy seats at the clerk's table, for the purpose of reporting the proceedings of this House.

Mr. Gibbs submitted the followieg Resolution, which was read and ordered to lie on the table, to wit:

Resolved, that a joint select committee be appointed to apportion the representation of this state for the ensuing seven years, agreeably to the constitution.

Mr. Desha introduced the following joint Resolution, to wit:

Resolved, by the General Assembly of the State of Tennessee, that a committee composed of two members on part of the House of Representatives, & one on part of the Senate, be appointed to contract for stationary for the use of the present session of the General Assembly.

And the question being taken on agreeing to the said Resolution,

It was determined in the affirmative.

Whereupon, Mr. Desha and Mr. Cheatham were appointed to be of the said committee on part of this House.

Ordered: that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

A message in writing was received from the Governor, by Mr. Daniel Graham, Secretary of State, which he delivered in at the Speaker's table, and withdrew.

Whereupon, the said messsge was read at the clerk's table, and is as follows:

Fellow Citizens of the Senate and of the House of Representatives:

Believing that the stated Sessions of the General Assembly are usually sufficient for the ordinary purposes of legislation, I shall at this time present for your consideration, but few subjects other than those, upon which it is thought indispensible for you to act.

The enumeration of the free male inhabitants of this State, has been made in the manner directed by the law of the last Session. The subject of the apportionment of Representation, consistent with the provisions of the constitution for fixing the ratio of representation in the General Assembly, will of course receive your early attention. Many of the clerks failed to transmit their returns, as required

by law, on or before the first day of September. A law making returns legal, which have been received since that period would seem to be necessary.

Your attention is again invited to the state of our courts. It appeared to be a prevalent opinion at the last Session, that *this Session*, which from circumstances was then anticipated, would be a favorable time for a fair and temperate consideration of our Judicial System. The interval between the Sessions would, it was thought, afford opportunity for reflection upon the amendments suggested, and also enable you to return to the discharge of your duties with a knowledge of the public will on this important subject. My opinions with regard to it have not changed since I was placed in the station I now occupy. I take the liberty of referring you to my former messages, particularly that of 1821, for a view of what has occurred and still occurs to me as the best plan of amendment. A plan which lessens the number of courts for the trial of Jury causes, thereby saving a sufficient sum to secure to us for decision of causes in the last resort, an honest, intelligent, prudent and vigorous supreme court. In the hands of this tribunal are our property, character and lives. No exertion can be too great to place it upon the best possible footing. That the progress of society—the increase of population—wealth and litigation would make changes in the arrangement of our courts politic and necessary was reasonably to be expected. In making alterations however, we should never lose sight of the wise checks upon the legislative department found in our constitution; checks not intended for the individual benefit of Judges, but designed, by protecting incumbents during good behaviour, to render them independent while they act correctly, and thus to secure the rights and liberties of the citizen.—Those best acquainted with the dockets of our Supreme Court of Errors and Appeals, represent them

as becoming more instead of less crowded. A number of the causes on one of them have been depending there for many years—and, unless a remedy be applied by the General Assembly, the situation of the court, so far from offering as it should, speedy relief to the injured, would seem to create such delay as almost amounts, in the language of our bill of rights, to a denial of justice and has created general dissatisfaction. This court ought to be so organized, that it should never adjourn until it had gone through every case on its docket. To effect this object it would appear to be necessary to lessen the travels of the Judges; and to lessen their duties by not requiring the individuals who preside there to hold inferior equity courts. The number of which, the court is at present, *in fact* composed seems little auspicious to a speedy determination of causes. There are four Judges and three are required to concur in every judgement and decree.

Upwards of seven years ago, in consequence of the pecuniary emparrassments of the country, the banks of Tennessee, with the exception of the State Bank at Knoxville, ceased to redeem their notes by the payment of Specie. The measure was deemed to be expedient, principally on account of the inability of the bank debtors to meet the calls which necessity would have obliged those institutions to make to sustain their own credit. Yet it was not expected by any one who reflected upon the subject, that a paper circulating medium should be permitted to exist beyond the period when a sound currency could be safely restored. The directors and other officers of the banks, have been unremitting in their exertions to place the institutions in a situation to pay specie without seriously affecting the debtor class of society by their operations. The object they had in view has been reached. The banks by a simultaneous act, commenced the payment of specie for their notes on the first day of September last, and I am highly gratified in being able to assure you, that

little or no inconvenience has resulted from the measure. A much less amount of gold and silver has been called for, than had been anticipated by the directors, and but a small part of that which has been paid, has left the State. The restoration of a sound currency is a measure, which should receive the unqualified approbation and support of every citizen, who feels interested in the future happiness and prosperity of Tennessee. It sustains our credit abroad—gives permanent & settled value to property, and causes every dollar in the country to circulate usefully and freely, thereby preventing much *real* diminution in the circulating medium. It is urged by some that the time selected for the resumption of specie payment was unpropitious: that in consequence of the high prices that were obtained for cotton and tobacco, in the spring and summer of eighteen hundred and twenty five, pecuniary engagements were then made, which cannot now be strictly complied with, owing in some degree to the low prices of the produce of the country. This reasoning would be entitled to consideration if the period could be pointed to, with any degree of certainty, when the community by a prudent management of its monied affairs—might be unembarrassed, and better prepared to meet the emergency than at present. It may not be amiss to notice an opinion entertained by some, that the *Bank of the State of Tennessee*, ought not to have commenced the payment of specie without the sanction and direction of the General Assembly. This opinion cannot as I conceive be supported by any good or *even plausible* reason. The usefulness of a Bank depends on the credit it sustains, and if this institution had not begun to pay specie when the other Banks did, its paper would now be at a great discount — confidence in its solvency completely distroyed, and when it should commence the payment of its notes by order of the Legislature, every dollar that could be collected would be immediately presented,

which would so cramp its future operations, that it would be of little or no value to the country.

It is confidently believed, that the pecuniary concerns of our citizens generally, are, all things considered, in a desirable situation. It is true, that the cultivator of the soil cannot get as high prices for the principal articles of exportation. Yet it is equally true, that he has in great abundance all the necessary articles of consumption; and if our ideas and expectations be not too highly raised—if we are satisfied with a reasonable portion of the good things of life—if we live within our means—if we sell more than we buy, and buy only what we need—if we discourage extravagant importations of foreign goods, by prefering our own household manufactures—in short, if we be industrious and frugal, we cannot fail to be a prosperous and happy people.

I had great pleasure in carrying into effect your resolution of the last session, requiring the Governor to procure information from the different penitentiaries in the United States, with regard to their usefulness as a means of punishing criminal offences. For the purpose of giving effect to what I conceive to be the wish and intention of the Legislature, letters of inquiry were addressed to the Governors of States where penetentiaries have been established, from many of whom replies have been received, containing much useful and satisfactory intelligence. I am also indebted to Governor Morril, of New-Hampshire, for the receipt of an interesting report from the "Prison Discipline Society of Boston," which furnishes much valuable information from most of the penitentiaries and state prisons in the union. The information contained in this report is peculiarly important, & much to be relied upon, because it was obtained from the personal observation of an intelligent and zealous agent of the society, who was appointed to visit all the penitentiaries in the United States, for the purpose of collecting such facts as would enable the society to

carry into successful operation the benevolent designs for which it was formed. The communications which I have received upon this subject, are thought to be too extensive and numerous to lay before your body, on account of the time it would require to give them a full and fair investigation. The propriety of appointing a committee to examine and report upon them, is submitted to your attention. As being intimately connected with this subject, the committee might also examine the returns of the clerks of the circuit and county courts touching the expense of criminal prosecutions.

It seems to be universally admitted by all those who have bestowed much attention on the subject, that the penitentiary system, with the improvements which have been recently made, isbetter calculated to arrest the progress of crime, and reform the guilty, than any penal code that has been heretofore devised. Experience has proved, that the prisoners must be classed; that no communication shouldbe permitted between the old and hardened villain, and the young and pliant offender; that the confinement of each individual in a separate cell at night, prevents the opportunity of forming dangerous combinations, and leads to reflection on the improprieties of an ill-spent life, which, in many instances, has produced reformation of the most sincere and permanent character.

In compliance with a resolution of your last session, a commissioner was appointed to aid the engineers of the United States, in making a survey through this state, of a route for the great national road contemplated to be established from the city of Washington to New Orleans. As I was wholly destitute of information as to the extent of the examination which the engineers were directed to make within the limits of Tennessee, it seemed to be proper to furnish our commissioner with instructions, pointing out the routes, to the survey of which he was directed to call their attention. In

the execution of the duties assigned to him, he was unable to procure but an extremely limited examination, the engineers not feeling authorized to depart from the orders under which they acted. The instructions which were given to the commissioner, together with his report, are herewith laid before you.

In obedience to an act passed at the last session, two commissioners were appointed on the part of Tennessee, to confer with those of the state of Alabama, on the practicability of removing the obstructions occasioned by the Muscle Shoals in the Tennessee river, by improving its bed, or by a canal on the north side of the river. The commissioners from the two states met early in September, and examined the Shoals with the greatest care; and it is gratifying to be able to assure you, that they consider it entirely practicable to remove all obstructions to navigation for keel and small steam boats, at a much less expense than has been heretofore thought necessary. In the course of a few days, the report of our commissioner will be laid before you, accompanied with some remarks on the propriety and plan of appropriating funds jointly with Alabama, to accomplish an object so peculiarly important to the commercial interests of a considerable portion of the two states. The propriety of making compensation for the services of those gentlemen, as well as the commissioner who attended the engineers in the examination of a route for the national road, will doubtless receive your favorable consideration.

Since the adjournment of the last session, the following temporary appointments have been made:—William E. Kenredy, Esquire, Judge of the Sixth Judicial Circuit; Hugh Dunlap, Esq. Solicitor General of the Thirteenth Solicitorial District; Augustin W. Bumpass, Surveyor General of the Seventh District; David C. Hunter, Surveyor of Washington County; Samuel R. Russell, Surveyor

of Hamilton County; George A. Sublett, Entry-taker of Rutherford County, and Thomas H. Williams, Entry-taker of Lincoln County. Those appointments were made, in consequence of the resignation of the former incumbents; and as they will expire at the end of the present session, the duty of making permanent appointments will devolve on the General Assembly at this time.

WM. CARROLL.

Executive Office, Nashville,
Oct. 16th, 1826.

A message from the Senate, by Mr. Dance, their clerk:

Mr. Speaker: The resignation of James Scott, Solicitor General of the Twelfth District, and the resignation of John Bricker, justice of the peace for Washington county, have been presented to the Senate and accepted. I am directed to present the said resignations to this House,

And then he withdrew.

Whereupon, the resignations of Mr. Scott and Mr. Bricker were severally read at the clerk's table, and accepted by the House.

Mr. Kincaid submitted the following resolutions, to-wit:

Resolved, that so much of the Governor's message as relates to a change in the judiciary, be referred to the judiciary committee.

Resolved, that so much of said message as relates to the banks, be referred to the committee on banks.

Resolved, that so much of said message as relates to the establishment of a penitentiary, be referred to a select committee.

Resolved, that so much of said message as relates to removing obstructions in the Muscle Shoals, be referred to the committee on internal improvement.

On motion of Mr Gibbs,

Ordered, that said message and resolutions lie on the table.

On motion of Mr. Huling,

Ordered, that twelve hundred copies of the Governor's Message, be printed by the printer of the laws of this state, for the use of the members of this House.

On motion of Mr. Thomas,

General Jackson and General Houston, and

On motion of Mr. Crisp,

Colonel Cannon, were severally invited by Mr. Speaker to seats within the bar of the House.

On motion of Mr. Gibbs,

Mr. Parsons was added to the committee on the judicary, and, On motion of Mr. Turney,

Mr. Brabson was added to the committee on the penitentiary.

Whereupon,

Mr. Speaker appointed Mr. Parsons to be of the committee of propositions and grievances, and of the committee on education, and

Mr. Brabson to be of the committee on the clerks' returns of criminal prosecutions, and of the committee on colleges and academies.

A message from the Senate, by Mr. Dance, their clerk.

Mr. Speaker:

The Senate have adopted a resolution. that the Secretary of State deliver to the doorkeeper of either House of the General Assembly, such books and documents in his office, as may be required for the use of members, in which they ask the concurrence of this House.

The Senate concur in your resolution for the appointment of a joint committee to contract for stationary for the present session of the General Assembly, and have appointed Mr. Johnson on their part to be of the said committee,

And the question being taken on agreeing to the foregoing resolution of the Senate,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Thomas submitted the following resolution, which was read and ordered to lie on the table, to wit:

Resolved, that a sufficient number of copies of the rules of this house, together with the names of the members composing the standing committees, be printed, so as to furnish each member with a copy.

Mr. Crisp submitted the following resolution, which was read at the clerk's table, and agreed to by the House, to wit:

Resolved, That the Senate be requested to meet the House of Representatives, in the Representative Hall, on Thursday next, the 19th inst. at 12 o'clock for the purpose of electing a surveyor general of the 7th district.

Ordered, That the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

Mr. Balch submitted the following resolution, which was read and ordered to lie on the table, to wit:

Resolved, That the Secretary of State report forthwith to this General Assembly, the number of tracts of land heretofore laid off for the use of common schools, and in what counties, agreeable to the provisions of the act of congress of 1806.

Mr. Crisp submitted the following resolution, which was read and ordered to lie on the table, to wit:

Resolved, That the Senate meet the House of Representatives in the Representative Hall, on Saturday next, the 21st instant, at twelve o'clock, for the purpose of electing a solicitor general of the twelfth district.

Mr. Turney introduced a bill to provide for the payment of the members, witnessess, &c. convened at Washington for the trial of brigadier general Wm. Stone. also,

A bill to compel owners of land to list them for taxation.

Mr. Hope introduced a bill to repeal the first section of an act, entitled, an act directing certain papers to be read in evidence, in suits concerning reservations taken under the late treaties with the Cherokee Indians.

Mr. Gibbs introduced a bill to incorporate the subscribers to the Union Insurance Company of Tennessee.

Mr. Turney introduced a bill to annex Marion county to the 11th solicitorial district.

Mr. Fletcher introduced a bill to adjourn the Chancery court at Franklin, and

Mr. Parsons introduced a bill for the relief of sundry citizens of Hawkins county who purchased land of Thomas Johnson, and

Mr. Huling introduced a bill to authorize limited partnerships in this state.

Which bills were severally read the first time and passed.

Ordered: That the Clerk do carry the said bills to the Senate.

Mr. Fletcher introduced a bill to repeal an act entitled an act to provide for the sale of the lands, which have been received for the use of common schools, and apportion the monies equally amongst the several counties in this state, passed December 6, 1825.

On motion of Mr. Turney,

Ordered: That the said bill lie on the table.

Mr. Huling introduced a bill to legalize the returns of the Clerks of the free taxable inhabitants of this state.

On motion of Mr. Fletcher,

Ordered: That the said bill lie on the table.

Ordered: That when the House adjourn, it will adjourn to meet again to-morrow morning at 9 o'clock.

And then the house adjourned.

WEDNESDAY, OCTOBER 18, 1826.

Mr. Tipton presented the Clerk's return of the free taxable inhabitants of the county of Monroe.

Mr. Buchanan a similar return from the Clerk of Warren county.

Mr. Martin a similar return from the Clerk of the county of Williamson.

Mr. Crisp a similar return from the Clerk of Lawrence county, and

Mr. McIver the returns from the Clerks of the counties of Dyer and Simpson.

Ordered: That the said returns lie on the table.

Mr. Turney presented a report from the commissioners, under the act entitled an act for the relief of certain purchasers of land in the Hiwassee District, which was read at the clerk's table.

On motion of Mr Fletcher,

Ordered: That the said report be refered to a joint select committee.

Whereupon,

Mr. Speaker appointed Mr. Turney, Mr. Fletcher, Mr. Huling and Mr. Fitzgerald, to be said committee.

Ordered: That the Clerk do carry the said report to the Senate, and ask their concurrence in the said reference.

Mr. Kincaid presented a petition of sundry citizens of Bedford county praying that Amos McAdams may be appointed a Justice of the Peace for said county.

Mr. Gibbs presented a petition of sundry citizens of Davidson county, praying that Daniel Brice may be appointed a Justice of the Peace for said county.

Also, a petition of sundry citizens of said county praying that Jesse Shelton may be appointed a Justice of the peace for said county.

Ordered: That the said petitions be referred to the committee on Captains' Companies and Justices of the Peace.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The Senate have passed a resolution that a joint select committee be appointed to contract for the job printing. that may be wanting at the present session of the General Assembly; and ask the concurrence of the House of Representatives, Mr. Anderson and Mr. Bradford are appointed of said committee on part of the Senate.

And then he withdrew.

And the question being taken on agreeing to the said resolution,

It passed in the affirmative.

Whereupon,

Mr. Speaker appointed Mr. Dulany, Mr. Perkins, Mr. Buchanan and Mr. Tunnell to be of said committee on part of this House

Ordered: That the Clerk acquaint the Senate therewith.

Mr. Crisp introduced a bill to provide further for the occupants of the Western District.

Mr. Balch introduced a bill for the benefit of Alfred Hunter.

Mr. Tipton introduced a bill to lengthen the December term of Monroe county court.

Mr. McIver introduced a bill to legalize certain proceedings and elections in the county of Dyer.

Mr. Douglass introduced a bill to divorce Elizabeth Dennis from her husband Azariah Dennis.

Mr. Fletcher introdnced a bill supplemental to an act entitled an act to incorporate the inhabitants of Winchester in the county of Franklin.

Mr Turney introduced a bill supplemental to an act entitled an act to annex part of the county of Marion to the county of Franklin.

Mr. Balch introduced a bill to confirm and make valid, all grants issued by the state of North Carolina on Entries and Warrants made west of *Brown's* line.

Mr. McAlister introduced a bill for the relief of the 2d Battallion of the 5th Regiment of Tennessee Militia.

Which bills were severally read the first time and passed.

Ordered: That the Clerk do carry the said bills to the Senate.

A bill from the Senate, to make valid the returns of the free male inhabitants made to the Secretary of State, and

A bill from the Senate to repeal the first section of an act making it the duty of the Judges of certain circuits to interchange their ridings

Were severally read the first time and passed.

Ordered: That the clerk do carry the said bills to the Senate.

A message from the Senate by Mr. Dance their Clerk,

Mr. Speaker,

I am directed by the Senate to declare to this House, the memorial of the Trustees of Cumberland College.

And then he withdrew.

The said memorial was read, and

On motion of Mr Gibbs,

Ordered to lie on the table.

On motion of Mr. Gibbs,

The House proceeded to consider his resolution of yesterday, for the appointment of a joint select committee to apportion the representation in this state.

And the question being taken on agreeing to the said resolution,

It passed in the affirmative.

On motion of Mr. Buchanan,

Ordered, That said committee be composed of twenty five members on part of this House.

On motion of Mr. Thomas,

The House proceeded to consider his resolution of yetserday, directing the rules of the House and

standing committees to be printed for the use of the members.

And the question being taken, on agreeing to the said resolution,

It passed in the affirmative.

On motion of Mr. Balch,

The House proceeded to consider his resolution of yesterday, directing the Secretary of State to furnish and report to this House, the number of tracts of land laid off for the use of common schools, as directed by the act of congress of 1806,

And the question being taken on agreeing to the said resolution,

It passed in the affirmative.

On motion of Mr. Crisp,

The House proceeded to consider his resolution of yesterday, to go into the election of solicitor general of the twelfth district on the 21st instant.

Mr. Camp made a motion to amend the said resolution, by striking out the words Saturday and twenty-first, and inserting the words Tuesday and nineteenth.

And the question being taken thereon

It was determined in the affirmative.

On motion of Mr. Gibbs,

Ordered, That said Resolution lie on the table until Friday next.

On motion of Mr. Kincaid,

The House proceeded to consider his several resolutions of yesterday, directing special references of the Governor's message.

Mr. Kincaid made a motion to amend the third resolution, by striking out the words "select committee" and inserting in lieu thereof the words "penitentiary committee."

And the question being taken thereon,

It was determined in the affirmative.

Whereupon,

The said resolutions were severally agreed to by the House.

On motion of mr. Gibbs,

Ordered, That mr. Desha be added to the penitentiary committee.

Mr. Fletcher introduced a bill supplemental to an act, entitled, an act to establish offices for receiving entries for the vacant land in the several counties in this state, north and east of the congressional reservation line and north of Tennessee river.

Mr. Buchanan made a motion to amend the said bill, and the question being taken thereon, was passed in the affirmative.

A bill for the relief of certain citizens of the county of Hawkins, was read a second time, amended

On motion of mr. Gibbs,

And passed.

Ordered, That the clerk do carry the said bill to the Senate.

On motion of mr. Turney,

Ordered, That a bill to provide for the payment of the members, witnesses, &c. convened for the trial of brigadier general William Stone, be referred to the committee on militia affairs.

A bill to repeal an act, entitled, an act directing certain papers to be read in evidenee, in suits concerning reservations taken under the late treaties with the Cherokee Indians, was taken up and read.

Ordered, that the said bill lie on the table.

Ordered, that Mr. Renau have leave to withdraw for amendment, a bill to compel owners of lands to list them for taxation.

A bill to adjourn the chancery court at Franklin, and

A bill to annex Marion county to the 11th solicitorial district,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

A message from the Senate, by mr. Dance, their clerk.

Mr. Speaker:

The Senate have adopted a resolution, that John Haywood and Robert L. Cobbs, Esquires; be requested to communicate to this General Assembly, as soon as practicable, what progress they have made in revising the public statutes of the state with such remarks as they may think necessary, explanatory of the plan of said work, its probable magnitude and time of its completion.

The Senate have also adopted a resolution that the two Houses assemble in the Representative Hall, on Saturday the 21st inst. at 11 o'clock for the purpose of electing a Solicitor General of the 12th district and a Surveyor General of the 7th district, in which they ask the concurrence of the House of Representatives.

The Senate nonconcur in the resolution of the House of Representatives to elect a Surveyor General of the 7th district on to-morrow.

And then he withdrew.

Ordered: That the first of said resolulions lie on the table.

And the question being taken, on agreeing to so much of the 2d resolution in the message of the Senate, which proposes an election for Solicitor General in the 12th district on the 21st inst. it passed in the affirmative.

And the question being taken on agreeing to so much of the 2d resolution of the Senate, as proposes an election for Surveyor General of the 7th district on the 21st inst.

It was determined in the negative, and

On motion of mr. Crisp,

Ordered: That the house do insist upon going into the said election of Surveyor General of the 7th district on to-morrow, and that the clerk acquaint the Senate therewith, and again ask their concurrence therein.

Mr. McFarland submitted the following resolution, which was read and ordered to lie on the table, to wit:

Resolved, that the Senate meet the House of Representatives on Saturday the 21st inst. to elect a Solicitor General for the 13th district.

Mr. Camp submitted the following resolution which was read, and ordered to lie on the table, to wit:

Resolved, that the Senate meet the House of Representatives on Saturday the 21st inst. to elect a judge for the 6th judicial circuit.

Mr. Mocre submitted the following rosolution, which was read and ordered to lie on the table, to wit:

Resolved, that the Senate meet the House of Representatives on Saturday the 21st inst. to elect an entry taker for the county of Lincoln.

Ordered: That Mr. Gibbs have leave to withdraw for amendment a bill to authorize limited partnerships.

Ordered: That Mr. Camp have leave to withdraw for amendment a bill to incorporate the Union Insurance Company of Tennessee.

On motion of Mr. Reneau,

Ordered: That when the House adjourns it will adjourn to meet again to-morrow morning at 9 o'clock.

And then the house adjourned.

THURSDAY, OCTOBER 19, 1826.

Mr. Brabson presented the clerk's return of the taxable inhabitants in the county of Claiborne.

Ordered: That the said return lie on the table.

Mr. Douglass presented a petition of James Blair praying the passage of a law authorizing the issuance of a duplicate warrant to the heirs of James Blair dec'd. for 150 acres of land.

Ordered: That the said petition and its accompanying documents be referred to the committee on land claims.

Mr. Buchanan presented a petition of Henry F.

Fryar, praying the passage of a law directing the Register of West Tennessee to issue him a grant for twenty acres of land.

Ordered: That said petition and its accompanying documents be referred to the committee on land claims.

Mr. Williamson presented the resignation of William Williams a justice of the peace for the county of Wilson.

Which resignation was read and accepted.

Ordered: That the clerk acquaint the Senate therewith.

Mr. Thompson presented a petition of sundry citizens of Bedford county praying the General Assembly to appoint William Steele a justice of the peace for the said county of *Bedford*.

Ordered: That said petition be refered to the committee on Captain's Companies and justices of the peace.

Mr. Crisp presented a petition of M. H. Buchanan praying the passage of a law authorizing him to obtain grants on entries 9903 and 9908 in the 2d Surveyors district.

Also, a petition of Daniel McIntyre praying the passage of a law authoriz.ng him to withdraw entry No. 1087 in the 7th Surveyors district.

Also, a petition of sundry inhabitants of the county of Lawrence and town of Lawrenceburg, praying the passage of a law, authorizing Noah Parker to erect a dam contiguous to Lawrenceburg.

Ordered: That the first and second of said petitions be refered to the committee on land claims.

And, the last of said petitions to the committee on Internal Improvements.

Mr. Camp submitted the following resolution, which was read and ordered to lie on the table, to wit:

Resolved, that the Senate meet the House of Representatives on Tuesday the 24th inst. for the purpose of considering the propriety of recommending

to the people of Tennessee, at the next general elections to vote for or against the call of a convention.

Mr. Thompson submitted the following resolution which was read, and ordered to lie on the table, to wit:

Resolved, that a joint select committee be appointed to examine the true state and condition of the bank of the State of Tennessee, at Nashville, and report to the present session of the General Assembly.

On motion of mr. Thompson,

Resolved, that John T. Neil, Wade Nowlin and William Simmons, be appointed justices of the peace for the county of Bedford.

Ordered: That the clerk do carry the said resolution to the Senate and ask their concurrence therein.

On motion of mr. Camp,

The House proceeded to consider his resolution of yesterday, providing for the election of a judge of the sixth judicial circuit, on Saturday the twenty-first inst.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative,

Yeas 21, nays 17.

The yeas and nays being required by the constitutional number of members,

Those who voted in the affirmative are,

Messrs. Brabson, Buchanan, Camp, Cheatham, Crisp, Desha, Douglasss Dulaney, Fitzgerald, Gibbs, Graham, Huling, Kincaid, Lytle, McIver, Martin, Moore, Perkins, Thomas, Thompson, and Williamson 21.

Those who voted in the negative are,

Messrs. Speaker Brady, Balch, Fletcher, Frazier, Harden, Hope, Kelly, Mc Alister, McFarland, Massengill, Parsons, Reneau, Stuart, Tipton, Tunnell, Turney and White—17.

Ordered, that the clerk do carry the said resolu-

tion to the Senate, and ask their concurrence therein.

On motion of mr. McFarland,

The House proceeded to consider his resolution of yesterday, providing for the election of a solicitor general for the thirteenth district, on Saturday the twenty-first instant.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

On motion of mr. Moore,

The House proceeded to consider his resolution of yesterday, providing for the election of an entry-taker for the county of Lincoln, on Saturday the 21st instant.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

Whereupon,

Mr. Speaker appointed messrs. Dulaney, Hope, Turney, Tunnell, Tipton, McFarland, Stewart. Massengill, Kelly. Batson. Buchanan, Douglass, Huling, Lytle, Perkins, Moore, Thomas, Graham, Crisp, Fitzgerald and McIver, to be of the committee on part of this House, to apportion the representation for the ensuing seven years, agreeable to the constitution.

And it is now ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

A message from the Senate, by mr. Dance their clerk.

Mr. Speaker:

The Senate concur in your insisting message,

to go into the election of a surveyor general of the seventh district to day.

The Senate also concur in the reference made by this House, of the commissioners appointed to compromise certain suits brought by Indian reserves against purchasers of land at the Hiwassee land sales, and have appointed mr. Henderson and mr. Bradford to be of said committee on their part.

The Senate have adopted a resolution, that the standing joint committees of the last session, be the standing joint committees of the present session.

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. McIver introduced a bill for the relief of the heirs of John R. Collier, deceased.

Mr. Huling introduced a bill to amend an act directing the manner that a change of venue should be obtained, passed December 6th, 1825.

Mr. Kelly introduced a bill to reduce the price of land in the Hiwassee District.

Mr. Moore introduced a bill to alter the time of holding the county court of Lincoln county.

Mr. Turney introduced a bill for the benefit of the owners of public ferries.

Mr. Hope introduced a bill to authorize the clerks of the county and circuit courts to do certain business at their own houses, also,

A bill to authorize the clerks of the county and circuit courts of Morgan to keep their offices at their own houses.

Mr. Desha introduced a bill to establish annual musters in the regiment of cavalry attached to the 4th brigade.

Mr. Stuart introduced a bill to divorce Daniel Buckner from his wife Polly, and

Mr. Batson introduced a bill to regulate elections for field officers in the county of Dixon.

Which bills were severally read the first time, & passed.

Ordered, that the clerk do carry the said bills to the Senate.

The hour having arrived at which the two houses were to assemble in the Hall of this house, for the purpose of electing a Surveyor General of the 7th district.

Ordered: That the clerk inform the senate that this house is now ready to receive them for that purpose.

Immediately after which mr. Speaker and the gentlemen of the senate assembled in this house and thereupon, proceeded in said election.

And on collecting and counting out the ballots Mr. Nelson of the senate and mr. Crisp of this house reported, that mr. Augustine W. Bumpass had received a majority of the whole number of votes given in.

Whereupon,

Mr. Speaker of the senate announced Augustine W. Bumpass to be duly elected Surveyor General of the 7th district.

And then mr. Speaker and the gentlemen of the senate withdrew.

A bill to make valid the returns made to the Secretary of State of the free taxable inhabitants of this state, was read the second time, amended on motion of mr. Huling, and passed.

A bill for the relief of Adam Hunter late sheriff of Greene county.

A bill to lengthen the December term of Greene county court.

A bill to amend an act incorporating the inhabitants of the town of Winchester.

A bill to legalize certain proceedings and elections in the county of Dyer.

A bill supplemental to an act, to establish offices for receiving entries for the vacant land north and east of the Congressional reservation line.

Were severally read he second time and passed.

Ordered: That the clerk do carry the said bills to the senate.

Ordered that mr. McIver have leave to withdraw for amendment, a bill further to provide for the occupants in the Western District.

A bill for the relief of the citizens of Hawkins county, and

A bill to annex Marion county to the 11th Solicitorial district.

Were severally read the third time and passed.

Ordered: that the clerk do carry the said bills to the senate.

A bill for the relief of the 2d Battallion of the 5th Regiment of Tennessee militia, was read the second time, amended on motion of mr. Kelly, and passed.

A bill from the senate, to amend th 2d section of an act passed the 26th of November 1825, was read the first time and passed.

Ordered: that the clerk do carry the said bills to the senate.

A bill to divorce Elizabeth Dennis from her husband Azariah Dennis.

Was read the second time.

And the question being taken thereon.

It was determined in the affirmative.

Yeas 26, Nays 12.

The yeas and nays being required by the constitutional number of members.

Those who voted in the affirmative, are

Mr. Speaker, Brady, Baleh, Brabson, Crisp, Douglass; Dulany, Fletcher, Frazier, Gibbs, Graham, Hardin, Hope, Kelly, Kincaid, Lytle, M'Alister, M'Farland, Martin, Massengil, Moore, Parsons, Reneau, Stuart, Thompson, Tunnell and White, 26.

Those who voted in the negative, are

Mr. Buchanan, Camp, Cheatham, Desha, Fitzgerald, Huling, McIver, Perkins, Thomas, Tipton, Turney and Williamson, 12.

Ordered: that the clerk do carry the said bill to the senate.

A bill for the benefit of common schools, was read the first time, amended on motion of Mr. Parson, and passed.

Mr. Balch returned without amendment.

A bill to make good all grants issued by the state of North Carolina on entries and warrants made west of Brown's line.

Ordered: that Mr. Turney have leave to withdraw the said bill for amendment.

Mr. Gibbs returned a bill authorizing limited partnerships, without amendment.

Ordered: that the said bill lie on the table.

Mr. Hardin introduced a bill to change the time of holding the county court of M'Nairy.

Ordered: that the said bill lie on the table.

Mr Parsons introduced a bill to repeal an act entitled an act to make sale of the lands reserved for the use of common schools—passed December 6th, 1825.

Ordered, that the said bill lie on the table.

Mr. Gibbs introduced the following resolution, which was read and ordered to lie on the table, to wit:

Resolved, by the General Assembly of the state of Tennessee, that the commissioner of West Tennessee proceed to adjudicate Grant No. 2940, and Grant 2783, and Grant No. 47. which were referred to him by a resolution of the last session of this General Assembly, the documents whereof, showing the amount of interference, not being all prepared until the meeting of the present session.

Mr. Turney introduced the following preamble & resolution, which were read and ordered to lie on the tablo, to wit:

Whereas, the acts of the General Assembly passed at the last session, were not printed and distributed throughout the state; until the month of August last, in consequence of which, the courts were unable to ascertain and enforce the laws of the land, whereby great inconvenience and injury resulted to the good people of this state,

And to remedy the like mischief in future,

Resolved, that the public printers of this state be required to keep their office at the seat of government, and print the acts of the General Assembly when passed, and also, that they be required to distribute the acts of the present session within one month after the rise of the General Assembly.

Mr. Fletcher submitted the following resolution, which was read and ordered to lie on the table:

Resolved, that a select committee, to consist of five members, be appointed to take into consideration the propriety of creating by law, a fund for the support of common schools and academies in each county in this state, and that said committee report, by bill or otherwise, the best and most practicable means of creating such fund.

Mr. Harden introduced a resolution for the appointment of justices of the peace in the counties of Wayne and McNairy.

On motion of Mr. Perkins,

Ordered, that said resolution be refered to the commitee on captains, companies and justices of the peace.

Mr. Fletcher introduced a bill for the relief of Thomas Powers and others,

Ordered, that the clerk do carry the said bill to the Senate.

On motion of Mr. Hope,

Ordered, that when the House adjourns, it will adjourn to meet again to-morrow morning at nine o'clock.

And then the House adjourned.

FRIDAY, OCTOBER 20th, 1826.

Mr. Massengill presented the return of the clerk of the county of Grainger, of the taxable inhabitants of said county.

Mr. Tunnell presented a similar return from the clerk of Anderson county.

Ordered; that the said returns lie on the table.

Mr. Douglass presented a return of the clerk of Fentress county of the number of Captain's Companies and Justices of the Peace in said county.

Mr. Crisp a similar return from the clerk of the county of Lawrence, and

Mr. McIver a similar return from the clerk of the county of Madison.

Ordered: that the said returns be referred to the committee on captain's companies and justices of the peace.

Mr. Williamson presented a petition of sundry citizens of Wilson county praying that E. P. Horn may be appointed a justice of the peace in said county.

Ordered: that the said petition be referred to the committee on captain's companies and justices of the peace.

Mr. Gibbs presented a letter from John H. Eaton and Hugh L. White senators in Congress from Tennessee, to the Trustees of Cumberland College, which was read, and

Ordered: that the said letter lie on the table.

The Speaker laid before the house a petition of Reuben A. Carter praying the passage of a law authorizing each individual in society to retail spirituous liquors.

Ordered, that the said petition be referred to the committee of propositions and grievances.

Mr. Turney introduced a bill to repeal part of the second section of an act entitled an act to amend an act to condense and bring into view the revenue

laws of the state, and to amend the same passed Nov. 22, 1817.

Mr. Camp introduced a bill for the relief of John Laird, and

Mr. Fletcher introduced a bill for the benefit of Jacob Rich of Franklin county.

Which bills were severally read the first time and passed.

Ordered: that the clerk do carry the said bills to the senate.

Mr. Thomas submitted a resolution appointing John Porter and Samuel Crawford justices of the peace for the county of Maury.

On motion of Mr. Huling,

Ordered: that the said resolution be referred to the committee on captain's companies and justices of the peace.

Mr. Camp returned a bill to incorporate the Union Insurance Company of Tennessee.

With proposed amendments, which were severally read and agreed to by the house.

The said bill was further amended.

On motions of mr. Gibbs, and mr. Lytle,

Whereupon, it was

Ordered: that the said bill be referred to a committee of the whole house, and be made the order of the day, for Wednesday next the 26th inst.

Mr. Kelly introduced a bill to divorce Letty Picket, from her husband William Picket.

Mr. Stuart introduced a bill to compel entry takers to pay over monies, and for other purposes.

Mr. Fletcher introduced a bill to cause cases now pending in the circuit court of Marion county for lands lying in Franklin county to be transferred to Franklin circuit court.

Mr. Moore introduced a bill for the benefit of Samuel Buchanan.

Mr. Dulany introduced a bill for the relief of Jonathan Bohman.

Mr. Thompson introduced a bill supplemental to

an act to amend an act supplemental to an act passed November 23d 1817.

Mr. Harden introduced a bill to authorize the Register of the western district to issue grants in certain cases, and

Mr. Balch introduced a bill supplemental to an act entiled, an act for ascertaining the method of proving bad debts, passed at Newbern, December 12, 1754.

Ordered, that the clerk do carry the said bill to the Senate.

On motion of Mr. Thomas,

Ordered, that Mr. John Rhea be invited to a seat within the bar of this House.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The Senate concur in your resolution to appoint a joint select committee to apportion the representation in the General Assembly for the ensuing seven years, and have appointed Messrs. Hall, Brown, Fry, Johnson, Bradford, McClanahan, McMeans, Walker, Nelson, Anderson and Henderson.

The Senate also concur in the resolution of this House, to go into the election of a solicitor general for the thirteenth district, a judge for the sixth circuit, and an entry taker for Lincoln county, on Saturday the 21st inst.

And then he withdrew.

On motion of Mr. Gibbs,

The house proceeded to consider his resolution of yesterday, directing the commissioner of West Tennessee to adjudicate grant's No 3940, No 2783 and No 47.

And the question being taken on agreeing to the said resolution.

It was determined in the affirmative.

Ordered: that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

On motion of mr. Turney,

The house proceeded to consider his preamble and resolution of yesterday, providing for a more speedy printing and distribution of the public acts of the General Assembly.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Mr. Speaker Brady laid before the House a resolution appointing Henry D. Jamison and Robert Walker justices of the peace for the county of Rutherford:

And the question being taken on agreeing to the said rrsolution,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate, & ask their concurrence therein.

A bill to legalize the returns of the free male inhabitants, made to the Secretary of State,

Was read the third time and last time, passed, & ordered to be engrossed.

Ordered, that Mr. Speaker appoint two additional members of this House on the committee to apportion the representation in the General Assembly for the ensuing seven years. Whereupon,

Mr. Speaker appointed Mr, Balch to be of said committee, in addition to Mr. Kelly, heretofore appointed.

Ordered, that the daily hour to which the House shall stand adjourned, until otherwise ordered, shall be nine o'clock in the forenoon.

And then the House adjourned.

SATURDAY, OCTOBER 21st, 1826.

Mr. Kelly presented the petition of John Thompson praying the passage of a law directing the Register to issue to him a land warrant,

Ordered: that the said petition and its accompanying documents be referred to the committee on land claims.

Mr. Gibbs presented a copy of the memorial of the Trustees of Cumberland College to the Congress of the United States.

The said memorial was read, and

On motion of Mr. Fletcher,

Ordered, to lie on the table.

Mr. Batson presented the resignation of E. P. Hicks, a justice of the peace for Lincoln county.

Which was read and accepted.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Crisp presented a petition of John H. McKinbey, praying the passage of a law directing the Register of the Western District to issue him a duplicate certificate for a lost warrant.

Ordered, that the said petition be refered to the committee on land claims.

Mr Reneau returned with an amendment,

A bill to compel owners of lands to list them truly for taxation.

And the question being taken on agreeing to the said amendment,

It was determined in the affirmative,

Ordered, that Mr. Balch have leave to withdraw the said bill for further amendment.

Mr. McFarland introduced a bill prescribing the duties of justices of the peace in certain cases.

Mr. Kelly introduced a bill supplemental to an act for the relief of Thomas Taylor, passed October 29, 1825, and

Mr. Thompson introduced a bill, changing the time of mustering the regiment of cavalry attached to the tenth brigade of Tennessee militia,

Which bills were severally read, and passed the first time

Ordered, that the clerk do carry the said bills to the Senate

Mr Turney returned, without amendment,

A bill to make good all grants issued by the state on entries and warrants made west of Brown's line.

Ordered, that said bill lie on the table.

Mr. McIver returned, with an amendment,

A bill to further provide for the occupants of the Western District.

And the question being taken on agreeing to the said amendment.

It was determined in the affirmative.

Ordered: that mr. Thomas have leave to withdraw the said bill for further amendment.

The hour having arrived at which the two houses were to assemble in the hall of this house for the purpose of electing a judge for the 6th judicial circuit, an attorney general for the 12th district; an attorney general for the 13th district; and an entry taker for Lincoln county.

Ordered: that the clerk inform the senate that this house is now ready to receive them for that purpose.

Immediately after which mr. Speaker and the gentlemen of the senate assembled in this house, and

Thereupon proceeded in said elections.

And on collecting and counting out the ballots for a judge of the 6th judicial circuit, it appeared that William E. Kennedy received a majority of the whole number given in, and was duly elected.

Whereupon,

The houses proceeded by ballot to the election of an attorney general for the 12th district.

And upon an examination of the 3d ballot it appeared that Henry Nixon was duly elected.

The houses proceeded by ballot to the election of an attorney general for the 13th district.

And upon an examination of the 3d ballot it appeared that Hugh Dunlap was duly elected.

The houses proceeded by ballot to the election of entry taker for Lincoln county and upon an examination of the first ballot it appeared that Thomas H. Williams was duly elected.

Which several results having been announced by mr. Speaker of the senate.

The Speaker and gentlemen of the senate withdrew.

And then the house adjourned.

MONDAY, OCTOBER 23d, 1826.

Mr. Parsons presented a memorial of Hardin Kinner of Hawkins county, praying compensation for revolutionary services.

Ordered, that the said petition be referred to the committee of propositions and grievances.

Mr. Parsons presented a memorial of Daniel Carmichael, John Hodge, James Young and John O. Brien commissioners, praying compensation for services rendered, by act of Assembly.

Ordered, that the said petition be referred to the committee of claims.

Mr. Frazier presented a petition of John Petigrue attorney in fact, of William Scott of the Kingdom of Ireland, praying the passage of a law authorizing the administrators of the estate of William Simpson, dec'd, to pay over said estate to the said William Scott.

Ordered, that said petition lie on the table.

Mr. Tipton presented the return of the clerk of Blount county, of the taxable inhabitants of said county.

Mr. Brabson presented a similar return from the clerk of Campbell county.

Ordered, that the said returns lie on the table.

Mr. Desha presented a petition of sundry inhabitants of the county of Sumner, praying compensation to justices of the peace and a repeal of the laws exempting them from military and road duties.

Ordered, that said petition be referred to the judiciary committee.

Mr. Perkins presented the clerk's return of Williamson county of captains companies and justices of the peace in said county.

Ordered, that said return be referred to the com-

mittee of captains companies and justices of the peace.

Mr. Fletcher from the committee for enrolled bills reported: that the committee had examined an enrolled bill, entitled

An act to legalize returns made to the secreary's office of the free taxable inhabitants, and found the said bill to be truly enrolled.

The Speaker, signed the said bill.

Ordered, that the clerk do carry the said enrolled bill to the senate.

On motion of mr. Camp,

The house proceeded to consider his resolution of the 19th inst. proposing a recommendation to the people to vote for or against the call of a convention.

Mr. Parsons made a motion,

To amend the resolution by striking out the words "Tuesday the 24th inst." and insert the words Monday the 30th inst.

And the question being taken on agreeing to the said amendment,

It was determined in the affirmative.

The question was then stated

Will the house adopt the said resolution as amended, and

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

A message from the Senate, by Mr. Dance, their lerk:

Mr. Speaker,

The senate have taken up on its third and last reading in both houses, a bill for the relief of the citizens of Hawkins county, who have purchased lands from Thomas Johnson, and propose amending the same, by reinstating the original preamble to said bill, in which they ask the concurrence of this house.

And then he withdrew.

And the question being taken, on agreeing to the amendment of the senate to said bill.

It was determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Mr. Thomas submitted the following resolution which was read, and ordred to lie on the table.

Resolved, that the Secretary of state be and he hereby is directed to grant Matthew Rhea esq. of Maury county, privilege to copy all maps, drafts and documents, which may be in his office and necessary to make out a correct map of the state of Tennessee.

Mr. Kelly introduced a bill for the relief of Jesse Mayfield of M'Minn county.

Mr. Moore introduced a bill for the relief of Robert Dixon administrater of Patrick O'Callaghan.

Mr. M'Iver introduced a bill to incorporate the inhabitants of Brownsville in the county of Haywood.

Mr. Parsons introduced a bill to provide for the improvemnet of the internal navigation of the state of Tennessee.

Mr. Harden introduced a bill to amend an act entitled an act to fix permanently the seat of justice in Harden county.

Mr. Gibbs introduced a bill to regulate damages on inland bills of exchange, and

Mr. Batson introduced a bill to prohibit clerks of the superior and inferior courts of law or equity from becoming security to suits determinable in the courts to which they respectively act as clerk

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

A message from the Senate, by mr. Dance, their clerk.

Mr. Speaker:

The senate have adopted a resolution appoint-

ing Abraham M'Clelland, william Rockhold and George Gammon justices of the peace for the county of Sullivan.

The senate have also passed a resolution, that the public printer be furnished with a copy of such laws as may be passed during the present session of this General Assembly as early as practicable after their passage, and that the same number of the acts and journals of the present session be published and distributed and in the same proportions as the acts and journals of the last session.

In which resolutions the senate ask the concurrence of this house.

The senate concur in the resolution of this house appointg justices of the peace for the county of Rutherford.

And then he withdrew.

On motion of Mr. Dulany,

Ordered, that the first of said resolutions contained in the senates message, be laid on the table.

Whereupon,

The question was taken on agreeing to the 2d resolution, contained in the senates message, and

It was determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

A message from the senate by mr. Dance their clerk:

Mr. Speaker,

I am directed to deliver to this house a report made to the senate by the joint select committee appointed to contract for the job printing necessary for the present session of the General Assembly.

And then he withdrew.

The said report was read at the clerks table, and concurred in by the house, as follows:

The joint committee appointed to contract for the job printing necessary for the present General Assembly, report, that after receiving terms from the different printers in Nashville, the committee have

excepted the proposal made by John S. Simpson, his terms being the best offered to the committee.

J. ANDERSON. Chairman.

Mr. Balch returned without amendment, a bill to compel owners of land to list them truly for taxation.

Ordered, that mr. Gibbs have leave to withdraw the said bill for amendment.

Mr. Thomas returned without amendment, a bill to further provide for the occupants of the Western District.

Ordered, that mr. Crisp, have leave to withdraw the said bill for amendment.

Mr. Fletcher introduced a bill concerning costs in criminal prosecutions.

Which bill was read the first time and passed.

Ordered, That the clerk do carry the said bill to the Senate.

Mr. Kincaid introduced a bill for the due extension of justice to execution creditors.

When mr. Camp,
Made a motion that the house do now adjourn.
And the question being taken thereon
It passed in the affirmative.
And then the house adjourned.

TUESDAY, OCTOBER 24, 1826.

Mr. Tipton presented a petition of James Houston of Blount county, praying compensation for ammunition & provisions furnished the frontier troops during the Cherokee war.

Ordered, that the said petition, with its accompanying documents, be referred to the committee of claims.

Mr. Hope presented the returns of the clerks of Roane and Morgan counties, of the taxable inhabitants of said counties, and also, the return of the clerk of Roane county, of Captains, Companies, & Justices of the Peace.

Ordered, that the first and second of said returns

lie on the table; and the last of said returns be referred to the committee of captains, companies and justices of the peace.

Mr. Kelly presented a petition of Benjamin Jones and others, praying a repeal of the act of assembly incorporating Charles Gamble, Crispin E. Shelton, and John Witt a turnpike company, also

A petition of sundry inhabitants of Rhea and Hamilton counties adverse to the repeal of said act of incorporation.

Ordered, that said petition be referred to the committee of propositions and grievances.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

I am directed to deliver to this House a letter from the Treasurer of West Tennessee to the General Assembly, concerning the sale of the School Lands.

The Senate propose referring said letter to a joint select committee of both houses.

In which they ask the concurrence of this House.

The Senate have passed a resolution appointing justices of the peace for the county of Hardeman.—In which they ask the concurrence of this House.

I am also directed to deliver to this House the report of the joint committee appointed to contract for the stationary necessary for the use of the present session of the General Assembly.

I am also directed to deliver to this House, reports from John Haywood and Robert L. Cobbs, made in obedience to a joint resolution of the General Assembly.

And then he withdrew.

And the question being taken on agreeing to the proposition of the Senate to refer the letter of the treasurer of West Tennessee to a joint select committee,

It was determined in the affirmative.

And Mr. Pasons, Camp, Murney, Martin, Fletch-

er, Kincaid, Gibbs, Frazier, White and Harden, appointed the said committee.

On motion of Mr. Harden,

Ordered, that the resolution of the Senate, appointing justices of the peace for Hardeman county, be refered to the committee on captains, companies, and jnstices of the peace.

Whereupon,

The question was taken on agreeing to the resolution reported by the committee appointed to contract for stationary, and concurred in as follows, to wit:

Resolved, that the clerks procure the stationary for the use of the Legislature at the present session from the firm of Robertson and Elliott.

On motion of Mr. Fletcher,

Ordered, that the clerks have one hundred and twenty copies of the reports of John Haywood and Robert L. Cobbs, printed for the use of the members of this House.

Mr. Thomas introduced a resolution directing the commissioners of West Tennessee to adjudicate certain warrants.

Ordered, that the said resolution lie on the table.

Mr. Camp introduced a bill, regulating the tax due on lands in the Western District for the year 1824.

Mr. Graham introduced a bill for the relief of Jos. Dillon and others.

Mr. Frazier introduced a bill for the relief of William Scott.

Mr. Turney introduced a bill to establish academies in the counties of Bledsoe and Marion.

Mr. Fletcher introduced a bill to compel prosecutors to pay cost in certain cases.

Mr. Tipton introduced a bill to authorize the treasurer of East Tennessee to receive certain monies.

Mr. Parsons introduced a bill supplemental to an act regulating the mode of licensing attornies at law.

Mr. Perkins introduced a bill to amend the laws now in force, regulating merchants' and pedlars' license.

Mr. McIver introduced a bill authorizing a lottery to improve the navigation of the Forked De r river.

Mr. Gibbs introduced a bill to prohibit sheriffs from executing certain process.

Mr. Turney introduced a bill to repeal part of an act more effectually to prohibit duelling.

Mr. Fletcher introduced a bill to amend the practice in courts of chancery.

Mr. White introduced a bill to provide for the registration of grants and deeds.

Mr. Buchanan introduced a bill to authorize Matthew W. White to build a bridge.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said hills to the Senate.

Mr. Gibbs introduced the following preamble and resolution which was read and ordered to lie on the table, to wit:

Whereas, the vacant and unappropriated land in this state, which will remain to the United States after the claims of North Carolina shall be fully satisfied, are wholly insufficietn to merit the attention of the genera. goverument, but by being properly and carefully husbanded, may tend to the benefit of this state—Therefore,

Resolved, by the General Assembly of the State of Tennessee, that our Senators in Congress be instructed, and our Representative be requested, to procure the assent of Congress to the passage of a law, which shall cede to the state of Tennessee, for the purpose of education, all the lands which shall remain unappropriated after the N. Carolina claims shall be fully satisfied within the chartered limits of this state.

Mr. Kincaid introduced a bill directing the man-

ner of loaning the money of the bank of the state of Tennessee in the different counties.

Mr, Parsons made a motion to refer the said bill to a committee of the whole House, and be made the order of the day for Friday week.

And the question being taken thereon,

It was determined in the negative.

Whereupon,

The said bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

A bill from the Senate, to amend an act, entitled an act to compel the agents of the Bank of the State of Tennessee, to loan sums of money not less than ten dollars; and for other purposes,

A bill to alter the name of the person therein named.

A bill for the relief of John Pavatt of Humphreys county, and

A bill to provide for the estates of deceased persons.

Were severally read the first time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill from the senate, to repeal the 2d section of an act passed in 1817, as respects courts of justice taxing defendants with costs was taken up and read.

On motion of Mr. Thompson,

Ordered, that said bill lie on the table indefinitely.

A bill from the senate to amend an act entitled an act to revise and amend the militia laws of this state, passed in the year 1825, was read, and

Ordered, that Mr. Moore have leave to withdraw the said bill for amendment.

On motion of Mr. Kincaid,

The House took up a bill for the due extension of justice to execution creditors.

The said bill was read the first time and passed.

Ordered, that the clerk co carry the said bill to the Senate.

A bill from the Senate, authorizing the building a new jail in the county of Lincoln, and

A bill for the relief of Elijah Embru and others.

Were severally read the first time and passed.

Ordered, that the clerk do carrry the said bills to the Senate.

A bill from the Senate concerning public grist mills,

Was read the first time,

And the question being taken thereon,

"Shall the said bill pass?"

It was determined in the negative.

And so the said bill was rejected.

Ordered: That the clerk acquaint the Senate therewith.

A bill to amend an act entitled an act to fix permanently the seat of justice in Harden county.

A bill to reduce the price of land in the Hiwassee District.

A bill supplemental to an act entitled an act to annex part of Marion county to the county of Franklin.

A bill for the relief of Thomas Powers and others.

A bill for the relief of Jesse Mayfield of McMinn county.

A bill to incorporate the inhabitants of Brownsville, in the county of Haywood.

A bill to transfer certain causes from the circuit court of Marion to the circuit court of Franklin county.

A bill for the relief of Thomas Taylor.

A bill changing the time of mustertng the regiment of cavalry attached to the Tenth Brigade of Tennessee Militia, and

A bill for the benefit of Jacob Rick of Frauklin county,

Were severally read the second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

A bill to amend the act passed 20th October,

1821, entitled an act to incorporate the inhabitants of Winchester in the county of Franklin.

A bill for the relief of the second battalion of the fifth regiment of Tennessee Militia.

A bill for the relief of Alfred Hunter, late sheriff of Greene county,

A bill to lengthen the Dec'r. term of Monroe county court,

Were severally read the third time and passed.

Ordered, that the clerk do carry the bills to the Senate.

Ordered that Mr. Harden have leave to withdraw for amendment,

A bill to alter the time of holding the county court of Lincoln,

Ordered, that Mr. Hope have leave to withdraw for amendment,

A bill for the benefit of the owners of public ferries.

A bill for the relief of the heirs of John R. Collier, dec'd,

Was read the second time,

And the question being stated,

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill to change the time of holding the county courts of McNairy,

Was read the second time, and,

On motion of Mr. Harden,

Ordered, that said bill lie on the table until the 1st day of January next.

Mr. Harden returned

A bill to alter the time of holding the county court of Lincoln county, with a proposed amendment,

Which was agreed to by the House.

Whereupon,

The said bill was read the second time, as amended and passed.

Ordered: That the clerk do carry the said bills to the Senate.

Ordered, that Mr. White have leave to withdraw for amendment.

A bill to repeal the first section of an act, making it the duty of the judges of certain judicial circuits, to interchange ridings.

A bill to divorce Letty Pickett from her husband William Pickett.

Was read the 2d time.

And the question being stated.

Shall the said bill pass,

It was determined in the negative.

Yeas 17, Nays 20.

The yeas and nays being required by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Batson,
Balch,	Buchanan,
Brabson,	Camp,
Crisp,	Cheatham,
Hope,	Desha,
Kelly,	Douglass,
Kincaid,	Dulany,
Lytle,	Fletcher,
Martin,	Frazier,
Massengill,	Gibbs,
Moore,	Graham,
Parsons,	Harden,
Stuart,	Huling,
Thompson,	M'Alister,
Tipton,	M'Farland,
Turney, &	M'Iver,
White—17.	Perkins,
	Thomas,
	Tunnell and
	Williamson—20.

And so the said bill was rejected.

Ordered, that mr. Balch have leave to withdraw

for amendment a bill for the relief of Robert Dixon administrator of Patrick O'Callaghan dec'd.

Mr. Thomas introduced a bill to amend the penal laws of this state and to establish a jail and penitentiary house therein.

On motion of mr. Gibbs,

Ordered, that said bill be referred to the Penitentiary Committee.

A bill to amend an act directing the manner a change of venue should be obtained, was read and amended.

On motion of mr. Turney,

Mr. Parsons made a motion further to amend the said bill, and debate arising thereon.

And then the House adjourned.

WEDNESDAY, OCTOBER 25, 1826.

Another member, to wit: William M'Clain from the county of Smith appeared and took his seat.

Mr. McClain presented the clerk's return of the taxable inhabitants of the county of Smith.

Mr. McIver presented similar returns from the clerks of Gibson and Henderson counties.

Ordered, that said returns lie on the table.

Mr. Graham presented a petition of Jordan Harris praying a divorce from his wife Rebecca.

Ordered, that said petition be referred to the committee on divorces.

Mr. Desha presented a petition of William Dunn praying a divorce from his wife Polly.

Ordered, that said petition and its accompanying documents lie on the table.

Mr. Crisp presented a petition of sundry inhabitants of Lawrence county praying that Robert Scolds may be appointed a justice of the peace for said county.

Ordered, that said petition be referred to the committee of captains companies and justices of the peace.

The Speaker laid before the house a report from the Secretary of state concerning the school lands, made in obedience to a resolution of the General Assembly.

The said report was read and ordered to lie on the table.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

I am directed to deliver to this house the letter of resignation of Lucas Kennedy esq. Attorney General of the 16th district.

The said letter of resignation was read and accepted by the house.

Mr. Moore returned with a proposed amendment,

A bill to amend an act entitled an act to revise and amend the militia laws of this state passed in 1825.

And the question being taken on agreeing to said amendment.

It was determined in the affirmative.

The said bill was further amended.

On motion of mr. Camp, and read the first time and passed.

Ordered: that the clerk do carry the said bill to the senate.

On motion of Mr. Gibbs,

The house took up a bill to amend an act directing the manner a change of venue should be obtained, passed at Murfreesboro' December 6th 1825.

Mr. Parsons made a motion to strike out the original bill, and insert in lieu thereof, an amendment providing for the repeal of the act of 1825, and directing the court before whom a change of venue may be prayed for in a civil or criminal suit, to require of the applicant a full disclosure of the reasons, circumstances and facts which might induce the belief that an impartial trial could not be had in the county where the offence was committed.

And the question being taken on agreeing to the said amendment,

It was determined in the negative.

Yeas 10, Nays 28.

The yeas and nays being required by the constitutional number of members.

Those who voted in the affirmative, are
Mr. Speaker Brady,
Balch,
Dulany,
M'Alister,
M'Farland,
Harden,
Hope,
Parsons,
Stuart and
Tipton—10

Those who voted in the negative, are
Mr. Batson,
Brabson,
Buchanan,
Camp,
Cheatham,
Crisp,
Desha,
Douglass,
Fletcher,
Fraizer,
Gibbs,
Graham,
Huling,
Kelly,
Kincaid,
Lytle,
M'Clain,
M'Iver,
Martin,
Massengill,
Moore,
Perkins,
Thomas,
Thompson,
Tunnell,
Turney,
Williamson and
White—28.

Ordered, that the said bill lie on the table.

Mr Crisp returned a bill to further provide for the occupants of the western district, with a proposed amendment, which was read at the clerks table.

And the question being taken on agreeing to said amendment.

It was determined in the affirmative.

Ordered, that said bill lie on the table until to-morrow.

Mr. Hope returned a bill for the benefit of the owners of public ferries, with proposed amendments.

And the question being taken on agreeing to said amendment,

It was determined in the affirmative,

Ordered, that mr. Kelly have leave to withdraw the said bill for further amendment,

A bill relative to land sold for taxes in the western district due in 1824.

Was read the second time and passed.

Ordered: that the clerk do carry the said bill to the senate.

On motion of Mr. Turney,

Resolved, that fifty copies of the memorial of the Trustees of Cumberland College be printed for the use of the members of this house.

On motion of Mr. Gibbs,

The House resolved itself into a committee of the whole, on the bill to incorporate the subscribers to the Union Insurance Company of Tennessee, and, after some time spent therein,

Mr Speaker resumed the chair, and

Mr. Camp reported,

That the committee had the said bill under consideration, and directed him to report amendments to said bill, and ask, that the committee of the whole should be discharged from the further consideration of said bill.

Ordered, that the committee of the whole be discharged from the further consideration of the said bill.

The question was then stated,

Will the House agree to the several amendments reported by the committee of the whole to the said bill? and

It was determined in the affirmative,
And then the House adjourned.

THURSDAY, OCTOBER 26, 1826.

Mr. Frazier presented a certified return of an election in Knox county, for a justice of the peace, in favor of John McMillan.

Ordered, that the said return be refered to the committee of captains companies and justices of the peace.

Mr. Turney presented a letter from John Brown and Joseph McPherson; accepting an act of incorporation of a part of the Cumberland turnpike road, also,

A report from the commissioner of said road.

Ordered, that the clerk do carry the said papers to the Senate.

Mr. Turney also presented a petition of Robert Burke, praying to be attached to the county of Roane.

Ordered, that said petition be refered to the committee on county lines.

Mr. Huling presented a petition and accompanying resolution, praying that Matthew Rogers, Henry Williams, Jeremy P. Bellamy and Charles Minor may be appointed justices of the peace for the county of Montgomery.

Ordered, that said petition and resolution be referred to the committee of captains companies and justices of the peace.

Mr. Crisp presented a petition of Thomas Welch; late treasurer of Lawrence county, praying the passage of a law allowing him a half per cent on certain county monies.

Also, a petition of Douglass H. Stockton, praying that the register of the Western District be directed to issue him a grant on Entry 1698.

Also, a petition of Pollard Wilson and William Reed, praying the passage of an act authortzing the

said Pollard to enter warrant no. 2460, and the said Williams to enter warrant 2461 on their occupant claims.

Also, a petition of Elihu C. Crisp, praying additional compensation for extraordinary services performed by virtue of his office of surveyor general of the tenth district.

Ordered, that the first of said petitions be refered to the committee of propositions and grievances.

The second and third of said petitions to the committee of land claims, and

Ordered, that the last of said petitions lie on the table.

Mr. Gibbs introduced a bill for the relief of Jason Thompson.

Mr. Camp introduced a bill to carry into effect the laws against usury.

Mr. Thomas introduced a bill to amend the militia laws of this state.

Mr. Moore introducd a bill for the relief of clerks and solicitors.

Mr. Huling introduced a bill concerning insolvent debtors.

Which bills were severally read the first time and passed.

Ordered that the clerk do carry the said bills to the senate.

Mr. Gibbs introduced a resolution directing the secretary of state as commissioner to adjudicate certain claims.

Ordeded, that said resolution lie on the table.

Mr. Hope introduced a resolution directing the register of the western district to issue to Charles Miles assignee of Thomas Brown, a grant on warrant No 2127.

Ordered, that said resolution lie on the table,

Mr. Fletcher submitted the following resolution which was read and ordered to lie on the table.

Resolved, that the senate meet the house of Representatives on the day of November next for

the purpose ef electing a judge of the Supreme court,

On motion of mr. Thompson,

The house took up his resolution of the 19th inst. for the appointment of a select committee to examine the state and condition of the bank of the state of Tennessee.

And the question being taken, on agreeing to the said resolution,

It was determined in the affirmative,

Ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The senate have passed a resolution authorizing Michael Beavers to enter warrant No 3569 on any vacant land south and west of the congressional reservation line.

The senate have also passed a resolution appointing Andrew Gass notary public for the county of Jefferson.

The senate also propose to amend further the bill for the relief of the citizens of Hawkins county, who purchased lands of Thomas Johnson, in which resolutions and amendment the senate ask the concurrence of this house.

And then he withdrew.

And the question being taken on agreeing to the 2d and 3d propositions in the senates message,

It was determined in the affirmative,

Ordered, that the clerk acquaint the Senate therewith.

On motion of *Mr.* Turney,

Ordered, that the first resolution in the Senate's message be referred to the committee on land claims.

Mr. Kelly returned a bill for the benefit of the owners of public ferries, without amendment.

The said bill was read the second time and passed.

Ordered, that the clerk do carry the said bill to the Senate. Mr. Desha introduced a bill to divorce William Dum from his wife Polly.

Ordered, that the said bill lie on the table.

Mr Gibbs returned a bill to compel owners of land to list them truly for taxation.

Ordered, that said bill lie on the table.

On motion of mr. Gibbs,

The House resumed the consideration of the bill to incorporate the subscribers to the Union Insurance Company of Tennessee.

Mr. Parsons made a motion to lay the said bill on the table, and that it be made the order of the day for Monday the 30th inst.

And the question being taken thereon,

It passed in the affirmative.

A bill relative to lands sold for taxes in the Western District, in the year 1824, was read the third time, amended

On motion of Mr. Kincaid, and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Ordered, that the clerk procure the petition of Robert G. Kelsoe, from the Secretary's office, subject to the order of the House on to-morrow.

And then the house adjourned.

FRIDAY, OCTOBER 27th, 1826.

Mr. Graham presented a petition of sundry inhabitants of the county of Jackson, praying that William Locke may be appointed a justice of the peace for said county.

Ordered, that said petition be referred to the committee of captains, companies and justices of the peace.

Mr. Buchanan presented the resignation of James Canady, a justice of the peace for the county of Warren.

The said resignation was read and accepted.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Thompson presented a petition of Reuben McClerin, praying the issuance of duplicate certificates on warrants 1791 and 2512.

Ordered, that said petition be referred to the committee on land claims.

Mr. Crisp presented a petition of sundry inhabitants of Lawrenceburgh, praying the passage of a law authorizing the commissioners of said town to dig a well on the public square.

Ordered, that said petition be refered to the committee on internal improvements.

The Speaker laid before the House a letter from William Young, late member of this house, requesting additional allowance as a member of last session.

Ordered, that said letter be referred to the committee of claims.

On motion of mr. Gibbs,

Resolved that the committee of claims be instructed to examine and report by bill or otherwise, upon the account of A. P. Maury of $70, for printing executed by order of the executive.

A message from the Senate, by mr. Dance their clerk.

Mr. Speaker:

The senate nonconcur in the resolution of this house, to appoint a joint select committee to examine and report the true situation of the bank of the state of Tennessee at Nashville.

I am directed to deliver to this house the resignation of John Morris, a justice of the peace for Greene county.

And then he withdrew.

On motion of Mr. Huling,

Ordered, that William G. Hunt editor of the Banner and Whig, be permitted to occupy a seat within the bar of the house for the purpose of reporting its proceedings.

Mr. M'Alister introduced a bill to legalize the

acts of John Bricker deputy sheriff of Washington county.

Mr. Fletcher introduced a bill authorizing clerks to issue seperate executions.

Mr. Buchanan introduced a bill to authorize James Rogers to open a turnpike road.

Mr. De-ha introduced a bill for the benefit of Jacob Sitgraves and the heirs of Neil Hutson.

Mr. Williamson introduced a bill for the relief of Arthur M'Farland.

Mr. Dulany introduced a bill for the benefit of John Proffit of Sullivan county.

Mr. Crisp introduced a bill for the relief of the representatives of John Carter

Mr. Thomas introduced a bill for the relief of Captain Crawford of Maury county.

Mr. Graham introduced a bill for the benefit of John Johnson.

Mr. M'Iver introduced a bill for the relief of Joshua Hadley.

Mr. Harden introduced a bill to legalize the official acts of John Hannah Senr. and

Mr. M'Clain introduced a bill to entitle persons to receive pay who are summoned as Garnishees.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Thompson introduced a bill for the relief of Ephraim Thompson.

Ordered, that the said bill be refered to the committee on land claims.

On motion of Mr. Fletcher,

The house suspended the nineteenth rule for their government, and re-considered and amended a bill concerning public grist mills.

The said bill was read,

And the question being stated:

Shall the bill as amended pass?

It was determined in the affirmative.

Ordered that the clerk do carry the said bill to the Senate. On motion of Mr. M'Lain.

A bill to divorce William Dunn from his wife Polly

Was read the first time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Mr. Balch returned a bill for the relief of Robert Dixon, administrator of Patrick O'Callaghan, dec'd, without amendment.

Ordered, that the title of said bill be, a bill to authorize R. Dixon, adm'r. of Pat. O'Callaghan, dec'd, to sell real property belonging to said estate.

On motion of Mr. Parsons,

Ordered, that said bill lie on the table till Saturday the fourth of November.

Mr. White returned a bill to repeal the first section of an act making it the duty of the judges of the circuit courts to interchange their ridings; with an amendment providing that the repeal of said sections should not extend to the third and seventh circuits.

And the question being taken on agreeing to the said amendment

It was determined in the negative.

Ordered, that Mr. M'Iver have leave to withdraw the said bill for amendment.

A bill to divorce D. Brickner from his wife Polly,

Was read the second time,

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 26, nays 12.

The yeas and nays being required by the constitution number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Brady,	Mr. Buchanan,
Balch,	Camp,
Brabson,	Cheatham,
Crisp,	Desha,

Douglass,
Dulaney,
Fletcher,
Fitzgerald,
Frazier.
Harden
Hope,
Kincaid,
Lytle,
McAlister,
McFarland,
McLain,
McIver,
Martin,
Massengill,
Moore,
Parsons,
Reneau,
Stuart,
Thompson,
Tunnell and
Turney.

Gibbs,
Graham,
Huling,
Perkins,
Thomas,
Tipton,
Williamson and
White—12.

Ordered that the clerk do carry the said bill to the senate.

The house took up and proceeded to consider a bill for the relief of Elijah Embree and others.

And debate arising on the provisions of said bill.

And then the House adjourned.

SATURDAY, OCTOBER 28th, 1826.

Mr. Buchanan presented a petition of Henry Beidleman, praying a loan of $6000 to enable him to proceed in the Manufacture of domestic fabrics.

Ordered, that the said petition be referred to the committee of propositions and grievances.

Mr. Desha presented a petition of sundry inhabitants of the county of Sumner, praying that William Edwards may be appointed a justice of the peace for said county.

Ordered, that said petition be referred to the committee on captains companies and justices of the peace.

Mr. Camp presented the resignation of William Woods a justice of the peace for Giles county, which was read and accepted.

Ordered, that the clerk acquaint the senate there with.

Mr. Brabson introduced a bill for the benefit of David Richardson, clerk of the circuit court of Campbell county.

Mr. Kincaid introduced a bill for the relief of David Nowlin.

Mr. White introduced a bill to authorize the judges of the Supreme court to certify bills of costs in certain cases.

Mr. Fletcher introduced a bill to compel clerks to enroll all cases at law, decided in their respective courts.

Mr. Desha introduced a bill to amend an act entitled an act regulating the fees of justices of the peace, and for other purposes passed December 5th 1825.

Mr. Hope introduced a bill prescribing a mode by which suits may be commenced and prosecuted against the state of Tennessee.

Mr. Frazier introduced a bill accompanied with a petition for the relief of William P. Cobbs & others.

Mr. Graham introduced a bill for the benefit of Ann Young.

Mr. Gibbs introduced a bill for the relief of the securities of the entry taker of Stewart county.

Mr. White introduced a bill for the relief of William Ussery.

Mr. Batson introduced a bill for the benefit of Alexander Campbell of Dixon county.

Mr. Tipton introduced a bill to repeal an act entitled an act to revise an act for the benefit of certain reservees, passed August 22, 1822.

Mr. Reneau introduced a bill to give justices of the peace' j risdic ion in certain cases,

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the Senate,

Mr. Williamson introduced a bill to amend the militia laws of this state.

Ordered, that said bill be referred to the committee on military affairs.

A bill from the senate, for the relief of Isabella Boiles.

Was read the first time and passed.

Ordered, That the clerk do carry the said bill to the Senate.

Ordered, that Mr. M'Clain have leave to withdraw for amendment, a bill for the relief of the clerks of the circuit and county courts of Washington.

Ordered, that Mr. Huling have leave to withdraw for amendment, a bill for the relief of Elijah Embree and others.

On motion of Mr. Fitzgerald,

The house took up a bill to further provide for the occupants of the Western District.

The said bill was read the 2d time—amended on motion of Mr. Desha, and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. M'Iver returned without amendment a bill to repeal the 1st section of an act, making it the duty of the judges to interchange ridings.

Whereupon, the said bill was read the 2d time and passed.

Ordered, that the clerk do carry the said bill to the senate.

On motion of Mr. Thomas,

Ordered, that the memorial of Robert G. Kelsy be referred to a committee of five members, with power to send for persons and papers, to examine witnesses and to do all other things necessary to en-

able them to ascertain the truth of the allegation contained in said memorial, and

Mr. Fletcher, Mr. Brabson, Mr. Cheatham, Mr. Marrin and Mr. M'Clain were appointed the said committee.

On motion of Mr Gibbs,

Ordered, that his resolution of the 26th inst. with its accompanying documents, be referred to the committee on land claims.

On motion of Mr. Thomas,

Ordered, that his resolution of the 24th inst. with its accompanying documents be referred to the committee on land claims.

Mr. Moore introduced a resolution directing the secretary of state, to issue to Oliver Williams a warrant for 79 acres and 132 poles on grant 1373.

Ordered, that said resolution lie on the table.

On motion of Mr. Hope,

The house took up, and proceeded to consider his resolution of the 26th inst. for the benefit of Charles Mills.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

Mr. Huling introduced the following resolution, which was read and ordered to lie on the table.

Resolved, that the president of the bank of the state of Tennessee, report to this house, what sum or amount of academy monies, have been deposited in the *principal* bank and what amount in the branch at Knoxville by the Treasurer's of east and west Tennessee, as required by the act of 1825, whether the academy monies have been deposited and apportioned as required by said act, between east and west Tennessee, also whether the interest has been paid to the several counties as directed by said act; also whether the whole amount which has been collected for the use of academies, has been deposited,

and what is or is not the amount deposited, and that said president report any and all information in his possession, relating to the subjects aforesaid.

And then the house adjourned.

MONDAY, OCTOBER 30th, 1826.

Mr. Parsons presented a petition of Christian Morrell praying the passage of a law, directing a 2d review of Holston river.

Ordered, that said petition be referred to the committee on internal improvements.

Mr. Tipton presented a petition of Hugh Boyd and others, citizens of Monroe county, praying legislative relief against the claims of Reservees in the Hiwassee district, and on extensions of the act of assembly of 1825, for the relief of the purchasers of the public lands in said district.

Ordered, that said petition be referred to the committee on the Hiwassee lands and reservations.

Mr. M'Clain presented a petition of Benjamin Spring praying a certificate for 1000 acres of land, on warrant 338 and grant 413, which cannot be identified.

Ordered, that said petition and its accompanying documents be referred to the committee on land claims.

Mr. Lytle presented a petition of sundry inhabitants of the county of Davidson praying the passage of an act, authorizing a lottery for the establishment of a free school in Nashville or its vicinity.

The said petition was read, and

Ordered, that the clerk do carry the said petition to the senate.

Mr. M'Iver presented a remonstrance of sundry inhabitants of the county of Dyer, against the removal of the seat of justice of said county.

Ordered, that said remonstrance lie on the table.

Mr. Huling introduced a resolution directing the

secretary of state to issue to R. E. C. Doherty four certificates of one hundred acres of land each.

Mr. Huling made a motion to suspend the 19th rule for the government of the house, and that the question be now taken on the passage of said resolution.

And the question being taken thereon,

It was determined in the affirmative.

Whereupon, the question was stated,

Will the house agree to said resolution, and

It was determined in the affirmative.

Ordered: That the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. M'Iver introduced a bill for the relief of the sheriff of Carroll county and for other purposes.

Mr. Fitzgerald introduced a bill to authorize the Surveyor of Stuart county to mark a part of Walkers line.

Mr. Parsons introduced a bill directing the disposal of academy monies.

Mr. Fletcher introduced a bill to amend an act entitled an act for the relief of the heirs of Elisha Pugdom dec'd.

Mr. Gibbs introduced a bill to form the volunteer companies attached to the 9th brigade into a Regiment.

Mr. Turney introduced a bill supplemental to an act, to authorize Samuel Terry, Peter Hoodenpyl and William Rainey to open a turnpike road.

Mr. Reneau introduced a bill for the relief of the citizens of Sevier county residing between Bays mountain and Holston river.

Mr. Camp introduced a bill to repeal the laws now in force respecting cotton gins.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Huling returned a bill for the relief of Elijah

Embree, and others, with a proposed amendment.

Mr. Parsons made a motion to lay the said bill and amendment on the table until the 1st day of November.

And the question being taken thereon,

It was determined in the negative.

The question was then stated,

Will the house agree to the said amendment, and

It was determined in the affirmative.

The said bill was then read the 2d time and amended and passed.

Ordered that the clerk do carry the said bill to the senate.

On motion of Mr. Thomas,

The House took up his resolution of the 23d inst. for the benefit of Matthew Rhea.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

A message from the Senate, by Mr. Dance, their clerk:

Mr. Speaker,

The Senate have also passed a resolution, directing the treasurer of West Tennessee to report to this General Assembly the amount of money received by him from the register of the Western District, on account of the sales of military land warrants authorized by an act passed in the year 1825.

The Senate have passed a resolution, directing the surveyor general of the Hiwassee District to report to this General Assemely any documents in his possession, showing the number of reservations taken under the treaties of 1817 and 1819, with the Cherokee tribe of Indians in the Hiwassee District.

The Senate have also passed a resolution instructing the joint select committee on job printing to ascertain from the public printers the expense of inserting in their public papers all the public acts

passed at the psesent session, which are to take effect before the laws can be distributed, and what will be the difference of charge between one and three insertions, and that said committee report, by bill or otherwise.

In which several resolutions, the Senate ask the concurrence of this House.

The Senate concur in your resoluion for the relief of R. E. C. Doherty.

And then he withdrew.

Whereupon,

The question was stated:

Will the House agree to the first, second & third resolutions contained in the Senate's message?

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Batson introduced a bill to amend on act requiring clerks of the chancery courts to furnish books for keeping the records and proceedings of their respective courts.

Mr. Thompson introduced a bill to amend the 1st section of an act passed November 17, 1823, to empower the court of pleas and quarter sessions of Bedford county to appoint commissioners to contract for and superintend the building a bridge over Duck river.

Which bills were severally read and passed the first time.

Ordered, that the clerk do carry the said bills to the Senate.

Mr. McLain returned a bill for the relief of the clerks of the circuit and county court of Washington with a proposed amendment, which was read,

And the question being taken on agreeing to the said amendment,

It was determined in the affirmative,

The said bill was then read the first time as amended, and passed,

Ordered, that the clerk do carry the said bill to the Senate.

A bill to alter the time of holding the county courts of Lincoln and McNairy counties, was read the third time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Ordered, that Mr, Camp have leave to withdraw for amendment, a bill for the relief of John David.

On motion of Mr. Moore,

Res lved, that the committee on land claims be instructed to inquire into the propriety of having grant no 4382 adjudicated, and whether said grant be founded on a valid warrant, and if so, whether a certificate should issue thereon, and be located on any unappropriated land south and west of the reservation line.

On motion of Mr. Frazier,

Resolved, that the committee on land claims be instructed to inquire into the propriety of issuing a certificate to the heirs or legal assignee of Rufus Mitchell, on warrant no. 528 for 275 acres of land, issued by the state of North Carolina, and dated the 25th day of November 1793; and whether said warrant was valid, and if so, should it not be located on the unappropriated land south and west of the Congressional line.

A message from the senate by mr. Dance their clerk:

Mr. Speaker,

The Senate concur in the resolution of this House, that there be a joint meeting of the two Houses to examine into the propriety of recommending the call of a convention. The Senate disagree to the day proposed by the House of Representatives for such meeting, and propose Friday next for the purposes of said examination and inquiry.

I am directed to deliver to this House a petition of Jonathan Pennywell and William Pennywell, praying the General Assembly to donate them the

devise made by Mason Lea to the state of Tennessee.

Ordered, that said petition lie on the table.

Mr. Kincaid made a motion, that the House do disagree to the proposition of the Senate to meet this House on Friday next in committee of the whole of both houses on the call of a convention, and that the senate be requested to meet this house for the purposes aforesaid on Thursday next.

And the question being taken thereon,

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and ask their concurrence therein.

The House took up a bill to incorporate the subscribers to the Union Insurance Company of Tennessee.

The said bill was amended on the motions severally of Mr. Fletcher, Mr. Kincaid, and Mr. Gibbs, when

Mr. Turney made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It was determined in the negative.

Yeas 14. Nays 25.

The yeas and nays being required by the constitutional number of members

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Batson.
Bratson,	Buchanan,
Desha,	Camp,
Frazier,	Cheatham,
Kelly,	Crisp,
M'Farland,	Douglass,
M'Ivor,	Dulany,
Massengill,	Fletcher,
Moore,	Fitzgerald,
Thompson,	Gibbs,
Tipton,	Graham,
Tunnell,	Harden,

Turney, and
Williamson—14.

Hope,
Huling,
Kincaid
Lytle,
M'Farland,
M'Clain,
Martin,
Parsons,
Perkins,
Reneau,
Stuart,
Thomas and
White—25.

Mr. Thomas made a motion to lay the said bill on the table until to morrow.

And the question being taken thereon,

It was determined in the affirmative.

And then the House adjourned,

TUESDAY, OCTOBER 31, 1826.

Mr. White presented a petition of Jesse Lincoln, praying that the legislature may not incorporate any Turnpike company, to open a road in parallel lines with the said petitioners.

Ordered. that said petition lie on the table.

Mr. Gibbs presented a petition of John Chapman, praying the General Assembly to authorize him to draw a lottery for his private benefit.

The said petition was read at the clerk's table, & ordered to be sent to the Senate.

Mr. Parsons introduced a bill to alter the time of holding the chancery court in Greene county.

Mr. Thompson introduced a bill to authorize a lotttery for the Shelbyville Dickson Acadamy in the county of Bedford.

Mr. Reneau introduced a bill to amend an act entitled an act to make it the duty of the registers in this state, to correct errors committed in the issuance of certain grants.

Which bills were severally read and passed the first time.

A bill from the Senate to apportion the representation in the General Assembly of Tennessee, was read the first time.

Mr. Douglass made a motion to amend the said bill, by attaching the county of Fentress to the counties of Overton and Jackson, and the said counties to send one representative jointly,

And the question being taken on agreeing to the said amendment.

It was determined in the negative.

The question was then stated:

Shall the said bill pass the first time?

And it was determined in the affirmative.

Mr. Thomas introduced a bill to regulate the county courts of Maury county.

The said bill was read the first time, amended on motion of Mr. Perkins, and passed.

A bill from the Senate to authorize the county court of Hardeman to lay a tax to complete the court-house in the town of Bolivar,

Was read the first time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The Speaker of the Senate did this day sign enrolled bills, entitled

An act relative to lands sold in the Western District for taxes due in 1824.

An act to amend an act entitled an act to incorporate the town of Winchester in the county of Franklin.

An act for the relief of certain citizens of the county of Hawkins.

An act to provide for the trial of cases in the county court of Monroe.

An act for the relief of the 2d Battallion of the 5th Regiment of Tennessee militia, and

An act to annex Marion county to the 11th solicitorial district.

And then he withdrew.

The Speaker now signed the said enrolled bills.

Ordered, that the clerk deposit the said enrolled bills in the office of the secretary of state.

A bill to alter the name of the person therein named.

A bill for the relief of Joshua Hadley.

A bill for the relief of Captain Crawford of Maury county.

A bill for the relief of John Carter's representatives.

A bill to establish academies in the counties of Bledsoe and Marion, and

A bill for the relief of Jonathan Borhman,

Were severally read the second time and passed.

A bill to incorporate the inhabitants of the town of Brownsville in the county of Haywood, and

A bill supplemental to an act for the relief of Thomas Taylor.

Were severally read the third tsme and passed.

Ordered, that the clerk do carrry the said bills to the Senate.

On motion of Mr. Kincaid,

The house took up a bill to incorporate the subscribers to the Union Insurance Company of Tennessee.

The said bill was read and amended on the motions of Mr. Kincaid and Mr. Gibbs.

Whereupon, the question was stated,

Shall the said bill pass the 2d time, and

It was determined in the affirmative,

Yeas 25, Nays 15.

The yeas and nays being required by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady,
Brabson,	Balch,
Buchanan,	Desha,
Camp,	Kelly,
Cheatham,	M'Farland,
Crisp,	M'Iver,
Douglass,	Martin,
Dulany,	Massengill,
Fletcher,	Moore,
Fitzgerald,	Perkins,
Frazier,	Thompson,
Gibbs,	Tipton,
Graham,	Tunnell
Harden,	Turney, &
Hope,	Williamson—15.
Huling,	
Kincaid,	
Lytle,	
M'Alister,	
McClain,	
Parsons,	
Renean,	
Stuart,	
Thomas, and	
White—25.	

Ordered: that the clerk do carry the said bill to the senate.

On motion of mr. Kincaid,

Ordered, that a bill to repeal an act entitled an act to provide for the sale of the lands which have been reserved for the use of common schools, and apportion the monies equally amongst the several counties in this state, be referred to the select committee to whom was referred the letter of the treasurer of west Tennessee.

Mr. Tipton introduced a bill for the relief of Joseph Calloway.

for amendment a bill to authorize limited partnerships.

Ordered, that mr. Hope have leave to withdraw for amendment a bill for the benefit of John the reputed son of John Stafford.

Mr. Fletcher introduced a bill supplemental to an act to establish offices for receiving entries for the vacant land in the several counties in this state, lying north and east of the reservation line and north of Tennessee river.

Mr. Hope introduced a bill for the relief of James Littleton.

Mr. M'Iver introduced a bill to compel the commissioners of the town of Huntingdon in the county of Carroll to account for and pay over certain monies and for other purposes, and

Mr. M'Farland introduced a bill to alter the name of Rhodham Moore.

Which bills were severally read the first time and passed.

Ordered: That the clerk do carry the said bills to the Senate.

A bill from the senate to authorize the drawing of a lottery for the benefit of Samuel Hogg.

Was read the first time and passed.

Mr. Balch introduced a bill to regulate the mode of taxing lots in the town of Milton in the county of Rutherford.

Mr. Kincaid introduced a bill to authorize a certain deed of conveyance to be registered, and

Mr. Thomas introduced a bill to amend an act entitled an act to procure a revisal of the public statutes of the states

Which bills were severally read the first time and passed.

A bill directing the Register of the western district to issue grants in certain cases, was read the second time, amended on motion of mr. Fitzgerald and passed.

A bill to prohibit clerks of superior and inferior

courts of law and equity from becoming security to suits, determinable in the courts to which they act as clerks respectively.

A bill to point out the duties of justices of the peace, in granting warrants in suits of damage under twenty dollars, and

A bill to amend he laws now in force in relation to merchants and pedlars licences.

Were severally read the second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Ordered, that MR. M'Clain have leave to withdraw for amendment a bill to compel entry takers to pay over monies and for other purposes.

On motion of MR. Parsons,

Ordered, that the bill to provide for the internal navigation of the state of Tennessee, lie on the table and be made the order of the day for Tuesday the 7th of November.

Ordered, that MR Fletcher have leave to withdraw for amendment, a bill to regulate damages upon inland bills of exchange.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The senate nonconcur in the proposition of the house of representatives that the two houses meet in joint committee on Thursday next, upon the resolution for a call of a convention, and propose that the two houses meet on the 9th of November, for that purpose, in which they ask the concurrence of this house.

And then he withdrew.

And the question being taken on agreeing to the day proposed in the message of the senate.

It was determined in the affirmative,

Ordered, that the clerk acquaint the Senate therewith.

The house took up a bill supplemental to an act

to amend an act supplemental to an act passed November 22d 1817.

Mr Turney made a motion to lay the said bill on the table until the 1st day of January next.

And the question being taken thereon,

It was determined in the affirmative.

Yeas 20, Nays 17.

The yeas and nays being required by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Brabson,
Batson,	Buchanan,
Balch,	Desha,
Camp,	Douglass,
Cheatham,	Dulany,
Fletcher,	Graham,
Fitzgerald,	Hope,
Frazier,	Huling,
Gibbs,	Kelly,
Harden,	Kincaid,
Lytle,	Massengill,
M'Alister,	Thomas,
M'Clain,	Thompson,
M'Iver,	Tipton,
Martin,	Tunnell,
Moore,	Williamson and
Parsons,	White—17
Reneau,	
Stuart and	
Turney—20.	

And so the said bill was laid on the table until the 1st day of January next.

And then the House adjourned.

WEDNESDAY, NOVEMBER 1, 1826.

The Speaker laid before the house the clerks return of the taxable inhabitants in the county of Rutherford; also a return of the number of captains

companies and justices of the peace in said county.

Ordered, that the second of said returns be referred to the committee of captains companies and justices of the peace, and the first of said returns lie on the table.

Mr. Cheatham introduced a bill supplemental to the 112th section of the militia law passed in the year 1825.

Mr. Buchanan introduced a bill to authorize Reuben Ross to open a turnpike road, and

Mr. Crisp introduced a bill to change the name and style of the Centreville domestic blues.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Fitzgerald introduced the following resolution which was read at the clerks table, to wit:

Whereas, the present judiciary system of this state is entirely defective and not calculated to answer the important ends of justice.

Therefore, Resolved by the General Assembly of the state of Tennessee, that a joint committee be raised to consist of members to confer with the judges of the supreme court of this state, with a view to ascertain their feelings and opinions on this important subject.

And the question being taken on agreeing to the said resolution,

It was determined in the negative.

And so the said resolution was rejected.

A bill to authorize the judges of the supreme court to certify costs in certain cases,

Was read the second time and passed.

Mr. McLain returned a bill to compel entry takers to pay over monies, and for other purposes, with a proposed amendment,

Which was agreed to by the House.

Whereupon,

Ordered, that said bill be referred to the committee of claims.

Ordered, that mr. Huling have leave to withdraw The said bill was read the second time and passed.

Ordered that the clerk do carry the said bills to the senate.

A message in writing was then received from the Governor, by Mr. Daniel Graham, Secretary of State, who delivered in the same on the Speaker's table, and withdrew.

The said message was read at the clerk's table & is as follows:

Fellow citizens of the Senate and of the House of Representatives:

In compliance with an act of the General Assembly, passed at a former session, an agent was appointed to go to South Carolina, for the purpose of procuring information respecting a devise of Mason Lea deceased, to the state of Tennessee, whose report, with other papers, re ating to the subject, are herewith laid before you. I also lay before you a communication from Jesse W. Egnew, Esqr. with two letters from Judge Murphy to him, relating to his agency in procuring information, respecting the real estate of which John Rice died possessed, under an appointment conferred by the legislature a few years ago.

WM. CARROLL.

Executive Office,
Nashville, Nov. 1, 1826.

Ordered, that the clerk do carry the said message and its accompanying documents to the Senate.

A motion was now made, that the House do now adjourn until to morrow morning, 9 o'clock.

And the question being taken thereon,

It was determined in the negative.

Yeas 14, nays 25.

Mr. Hope returned a bill for the benefit of John, the reputed son of John Stafford, with a proposed amendment, which was read,

And the question being taken on agreeing thereto,

It was determined in the affirmative,

Whereupon, the said bill was read the second time, as amended, and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Mr Fletcher returned a bill regulating damages on inland bills of exchange. with a proposed amendment, which was read and agreed to by the House;

Whereupon,

The said bill was read the second time.

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 30, nays 4.

The yeas and nays being required by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Batson,	Mr. Balch,
Brabson,	Parsons,
Buchanan,	Reneau and
Camp,	Tunnell—4.
Cheatham,	
Crisp,	
Desha,	
Douglass,	
Dulaney,	
Fletcher,	
Frazier,	
Gibbs.	
Harden,	
Hope,	
Hyding	
Kelly,	
Lyle,	
M. Alister,	
M. Farland	
M Lain	
McIver,	
Martin,	

Massengill,
Moore,
Perkins,
Stuart,
Thompson,
Turney,
Williamson and
White—30.

Ordered, that the clerk do carry the said bill to the Senate.

And then the House adjourned.

THURSDAY, NOVEMBER 2, 1826.

Mr. Buchanan presented the resignation of Henry T. Fryer, a justice of the peace for Warren county, which was read and accepted.

Mr. Lytle presented a petition of Elijah Tifford, praying the passage of a law authorizing him to sell merchandize without license, and

Mr. Martin presented a petition of John P. Dix, praying the passage of a law authorizing him to sell merchandize without license.

Ordered, that said petition be refered to the committee of propositions and grievances.

Mr. Perkins presensed a petition of sundry citizens of Williamson county prayings a revisal of the quorum courts.

Ordered, that the clerk do carry the said petition to the Senate.

Mr. Thompson presented a petition of sundry citizens of Bedford county, praying for a lottery to enable them to procure salt in said county.

Ordered, that said petition lie on the table.

Mr. Crisp presented a petition of John B. Strebling, praying that a land certificate may be issued to him.

Ordered, that said petition be refered to the committee on land claims.

Mr. Harden presented a petition of Henry M.

Johnson, praying compensation for running & marking the road from Reynoldsburg to the Chickasaw Old Towns.

Ordered, that said petition be refered to the committee on claims.

On motion of Mr. Reneau,

Ordered, that Mr. Speaker Brady have leave of absence from the service of this House until Saturday next.

Whereupon,

On motion of Mr. Huling,

Mr. John H. Camp, the representative from the county of Giles, was unanimously chosen Speaker *pro tempore* of this House—and mr. Camp thereupon was conducted to the Speaker's chair.

On motion of mr. Graham,

Resolved, that the committee on the Kentucky line be instructed to inquire into the expediency of settling on and establishing a permanent line between the states of Kentucky and Tennessee,

Mr. Harden introduced a resolution appointing justices of the peace in the county of Fayette, and

mr. Batson introduced a resolution, appointing justices of the peace for the county of Dixon.

Ordered, that said resolution be referred to the committee on captains, companies and justices of the peace.

Mr. Harden introduced a resolution for the relief of James Harden.

Ordered, that said resolution be referred to the commitee on land claims.

mr. Thomas introduced a bill to authorize Wyly Ledbetter to hawk & peddle without license.

Mr. Turney introduced a bill supplemental to an act, entitled an act requiring the clerks and trustees and other officers to perform certain duties.

Mr. Fletcher introduced a bill concerning mill dams unlawfully built across Elk river.

Mr. Huling introduced a bill allowing further

time for making surveys and returning plats and certificates south and west of the reservation line.

Mr. Kelly introduced a bill to exempt David Ragsdale from the payment of turnpike tax.

Mr. Parsons introduced a bill to authorize judges to grant writs of certiorari and supersideas upon suits tried before justices of the peace.

Mr. Fletcher introduced a bill authorizing clerks to issue commissions to take depositions.

Mr Thomas introduced a bill to revise an act, entitled an act to provide for the adjudication of certain land claims.

Mr. Crisp introduced a bill requiring certain duties of the solicitors general.

Mr. Huling introduced a bill to amend an act entitled an act to compel sheriffs and other officers to pay over monies by them collected.

Which bills were severally read the first time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill from the senate to provide for the internal improvement of the state.

Was read the first time and passed.

A bill for the benefit of David Nowlin.

A bill to entitle persons to receive pay who are summoned as Garnashees.

A bill to authorize the surveyor of Stuart county to run and mark a part of Walker's line.

A bill to authorize the Treasurer of east Tennessee to receive certain monies.

And, a bill to amend an act entitled an act for the relief of the heirs of Elisha Purdam dec'd.

Were severally read the second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

A bill for the relief of Thomas Powers and others, and

A bill for the relief of captain Crawford of Maury county.

Were severally read the third time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Ordered, that mr. M'Farland have leave to withdra for amendmert. a bill for the relief of William P. Cobbs and others.

On motion of mr. Turney,

Ordered, that a bill for the relief of Robert P. Harrison, be referred to the committee on claims.

A bill to repeal the first section of an act making it the duty of judges to interchange ridings, was read the third and last time passed, and ordered to be engrossed.

Ordered, that mr. Balch have leave to withdraw for amendment, a bill to alter the time of holding the chancery court at Greenville, and

A bill for the relief of the clerks of the circuit and county courts of Washington.

Ordered, that mr. Massengill have leave to withdraw for amendment, a bill for the relief of William Ussery

Ordered, that mr M'Clain have leave to withdraw for amendment, a bill for the relief of clerks and solicitors.

Ordered, that mr. White have leave to withdraw for amendment, a bill directory to the entry taker of the Hiwassee district.

A bill to regulate elections for field officers in the county of Dixon.

Was read the second time, amended on motion of mr. Turney, and passed.

A bill for the benefit of Ann Young, was read the second time, amended on motion of mr. Huling, and passed.

A bill for the benefit of David Richardson of Campbell county, was read the second time, amended on motion of mr. Huling, and passed.

Ordered, that the clerk do carry the said bills to the senate.

Ordered, that mr. Turney have leave to with-

draw for amendment, a bill directing the disposal of academy monies.

Ordered, that Mr. Parsons have leave to withdraw for amendment. a bill to compel the clerks to enroll all cases at law, decided in their respective courts.

Mr. M'Farland introduced a bill for the benefit of James Bradford sheriff of Jefferson county,

Which was read:

Ordered, that the said bill be referred to the committee of claims.

A message from the Senate, by Mr. Dance, their clerk.

Mr. Speaker:

The senate have passed a resolution requiring the commissioner of west Tennessee to report to this general assembly, the amount of University and other claims adjudicated by him to be valid agreeably to a law passed at the last session of the general assembly, in which they ask the concurrence of this house.

And then he withdrew.

And the question being taken on agreeing to the said resolution of the senate.

It was determined in the affirmative.

Ordered: That the clerk acquaint the Senate therewith.

A bill to give jurisdiction to justices of the peace and for other purposes.

Was read the second time,

And the question being stated:

Shall said bill pass.

It was determined in the negative.

Yeas 16, Nays 20.

The yeas and nays being required by the constitutional number of members

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Brabson,	Mr. Batson,
Buchanan,	Balch,
Douglass,	Camp,
Fletcher,	Cheatham,

Harden,
Hope,
Huling,
Kincaid,
McFarland,
McCain,
Perkins,
Reneau,
Tipton,
Turney,
Williamson and
White—16.

Crisp,
Desha,
Dulaney,
Frazier,
Gibbs,
Graham,
Kelly,
Lytle,
McAlister,
McIver,
Martin,
Massengill,
Moore,
Parsons,
Stuart, and
Tunnell—20.

And so the said bill was rejected.

On motion of Mr. Lytle,

Ordered, that Mr. Huling be added to the committee on land claims.

A bill for the relief of Joshua Dillon and others.

Was read the second time.

And the question being stated,

Shall said bill pass?

It was determined in the negative.

Yes 4, Nays 31.

The yeas and nays being required by the constitution number of members,

Those who voted in the affirmative, are

Mr. Buchanan,
Graham,
Lytle, and
M'Farland—4.

Those who voted in the negative, are

Mr. Batson,
Balch,
Brabson,
Camp,
Cheatham,
Crisp,
Desha,
Douglass,
Dulany,
Fletcher,

Frazier,
Gibbs,
Harden,
Hope,
Huling,
Kelly,
M'Alister,
M'Clain,
M'Iver,
Massengill,
Moore,
Parsons,
Perkins,
Reneau,
Stuart,
Thomas,
Thompson,
Tunnell,
Turney,
Williamson and
White—31.

And so the said bill was rejected.

Mr. Crisp who had withdrawn for amendment a bill to regulate the county courts of Maury and Williamson counties, returned the said bill with an amendment.

Ordered, that the said bill and amendment lie on the table.

And then the house adjourned.

FRIDAY, NOVEMBER 3, 1826.

Mr. Frazier presented a petition of George Graves praying amendments to the militia laws.

Ordered, that said petition be referred to the committee on military affairs.

Mr. Douglass presented a petition of Ephraim Maxwell praying to be released from a forfeited recognizance; also, a petition of Samuel M. Bath

praying the passage of a law authorizing him to hawk and peddle without licence, also

A petition of sundry inhabitants of Overton county praying a resurvey of said county.

Ordered, that the first and second of said petitions be referred to the committee of propositions and grievances and the third of said petitions to the committee on county lines.

Mr. Buchanan presented a petition of M. L. Armstrong, praying to be released from a forfeited recognizance.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Thomas presented a petition of sundry inhabitants of the county of Maury praying that a justice of the peace may be appointed for the town of Mount Pleasant in said county.

Ordered, that said petition be referred to the committee on captains companies and justices of the peace.

Mr. Crisp presented a petition of Elijah C. Crisp, surveyor general of the 9th district, praying a removal of his office, from Jackson to the town of Boliver or its vicinity.

Ordered, that said petition lie on the table.

Mr. M'Iver presented a petition of sundry inhabitants of the county of Dyer, praying a removal of the seat of justice in said county.

Ordered, that said petition be referred to the committee on county lines.

Mr. Fletcher from the committee for enrolled bills reported that the committee had examined an enrolled bill, entitled an act to repeal the 1st section of an act making it the duty of the judges to interchange their ridings, and that the said bill was truly enrolled.

The Speaker protempore signed the said bill.

Ordered, that the clerk do carry the said bill to the senate and acquaint them therewith.

On motion of Mr. M'Iver,

Ordered, that the Remonstrance of the inhabitants of the county of Dyer, be referred to the committee on county lines.

Mr. Crisp introduced a resolution authorizing the removal of the office of the surveyor of the 9th district.

Ordered, that said resolution lie on the table.

Mr. Turney returned a bill to authorize Jesse Savage to open a turnpike read with a proposed amendment, which was agreed to by the house.

The said bill was then read the first time as amended, and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Mr. Balch returned a bill to alter the time of holding the chancery court at Greenville.

Whereupon, the said bill was read the second time and passed.

Mr. M'Farland returned a bill for the relief of William P. Cobbs and others, with an amendment which was read, and agreed to by the house.

The said bill was then read the second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

On motion of Mr. Fletcher,

Resolved, that the engrossing clerk of this house forthwith forward to Judges Keith, Williams, Kennedy, Stuart, Humphreys and Hamilton a copy of an act entitled an act to repeal the 1st section of an act making it the duty of the judges to interchange ridings

Mr. M'Iver introduced a bill to open and facilitate the navigation of Big Hatchee river, and

Mr. Desha introduced a bill for the relief of Alfred H. Douglass.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Balch returned a bill for the relief of the clerks of the circuit and county courts of Washington and Smith, with an amendment.

On motion of Mr. Turney,

Ordered, that said bill and amendment lie on the table until to-morrow.

A message from the Senate, by Mr. Dance, their clerk:

Mr. Speaker,

The senate have passed a resolution, that the two houses assemble on Saturday the 4th inst. for the purpose of electing a senator in congress for six years, commencing on the 4th day of March next, in which they ask the concurrence of this house.

And then he withdrew.

The house proceeded to consider the said message of the senate.

Mr. Fletcher made a motion to postpone the said resolution until the 10th day of the next session.

And the question being taken thereon,

It was determined in the negative.

Yeas 14, Nays 24.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Buchanan,	Mr. Batson,
Cheatham,	Balch,
Douglass,	Brabson,
Fletcher,	Camp,
Gibbs,	Crisp,
Graham,	Desha,
Hope,	Dulany,
Kincaid,	Frazier,
M'Farland,	Harden,
M'Clain,	Huling,
Perkins,	Kelly,
Reneau,	Lytle,
Tipton and	M'Alister,
White—14.	M'Iver,

Martin,
Massengill,
Moore,
Parsons,
Stuart,
Thomas,
Thompson,
Tunnell,
Turney and
Williamson—24.

And so the house refused to postpone the said resolution until the 10th day of the next general assembly.

Whereupon,

The question was stated,

Will the house agree to the said resolution of the senate, and

It was determined in the affirmative,

Yeas 24, Nays 15.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Buchanan,
Balch,	Cheatham,
Brabson,	Douglass,
Camp,	Fletcher,
Crisp,	Fitzgerald,
Dasha,	Gibbs,
Dulany,	Graham,
Frazier,	Hope,
Harden,	Kincaid,
Hailing,	McFarland,
Kelly,	McClain,
Lea,	Perkins,
Mc Minister,	Reneau,
McIver,	Tipton and
Martin,	White—15.
Massengill,	
Moore,	

Parsons,
Stuart,
Thomas,
Thompson,
Tunnelll,
Turney and
Williamson—24.

And so the house agreed to the said resolution of the senate.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Fletcher introduced a bill for the relief of Joel H. Dyer executor of Robert H. Dyer.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the Senate,

On motion of mr. Moore,

Ordered, that the resolution for the relief of Oliver Williams, be referred to the committee on land claims.

Mr. Gibbs introduced a bill to explain and amend the 5th section of an act entitled an act for the recovery of certain monies passed August 22d 1823.

Ordered, that said bill be referred to the committee on land claims.

Mr. Huling introduced a resolution in the words and figures following, to wit:

It being now half after 2 o'clock, Resolved, that the house adjourn until to-morrow for the purpose of giving the committees time to arrange the business referred to them by the house.

And the question being taken thereon,

It was determined in the affirmative.

Yeas 26, Nays 12.

The yeas and nays being demanded by the constitutional number of members

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	*Mr. Buchanan,*
Balch,	Douglass,

Brabson,
Camp,
Cheatham,
Crisp,
Desha,
Dulay,
Fitzgerald,
Frazier,
Graham,
Harden,
Hope,
Huling,
Kelly,
M'Alister,
McClain,
McIver,
Martin,
Moore,
Parsons,
Stuart,
Thomas,
Thompson,
Tunnell and
Turney—26.

Fletcher,
Kincaid,
Lytle,
McFarland,
Massengill,
Perkins,
Reneau,
Tipton,
Williamson and
White—12.

And then the house adjourned.

SATURDAY, NOVEMBER, 4th, 1826.

Mr. Turney presented a petition of sundry inhabitants of Marion county, praying the passage of a law authorizing John Rice to hawk and peddle without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Thomas presented a petition of sundry inhabitants of Maury county, praying compensation to justices of the peace, and a revisal of the quorum courts.

Ordered, that said petition be referred to the judiciary committee.

Mr. McIver presented a petition of sundry inhabitants of Madison county, praying a revival of the quorum courts.

Ordered, that said petition be referred to the judiciary committee.

Mr. Fletcher, from the committee to whom was refered so much of the Governor's message as relates to the banking institutions of this state, made a report which was read at the clerk's table, and concurred in by the House as follows, to wit:

The committee to whom was referred so much of the Governor's message as relates to the banking institutions of the state, report:

That said committee highly approve of the conduct and policy which the directors of said banking institutions have pursued for some years past, in their efforts to produce a sound circulating currency through ut the state—that said committee approve of the resumption of specie payments on the part of said banks, and recommend a continuance of the redemption of their notes by specie payments; and that said committee have full confidence in the ability of the said banking institutions to redeem all their liabilities as promptly as they may be presented. THO. H FLETCHER, Chairman.

Mr. Huling introduced a resolution, which was read at the clerk's table as follows, to wit:

Whereas, in the caption of the act o 1812, prohibiting the importation of slaves into this state for sale, the operation of said act is limited to five years, but no such limitation is expressed in the body of said act, and sundry negroes brought into the state by Oliver Simpson, have been arrested by the sheriff of Giles county, and will, under the said act, be shortly offered for sale for the use of the state,

Therefore resolved, by the General Assembly of the state of Tennessee, that said sheriff be, and he is hereby directed to suspend the sale of said negroes, so levied on or arrested, until the further order of this General Assembly.

Mr. Huling made a motion to suspend the nineteenth rule for the government of the House, and that the question be now taken on the passage of said resolution:

And the question being taken thereon,

It was determined in the affirmative.

Whereupon,

The question was stated,

Will the House agree to the said resolution?

And it was determined in the affirmative.

Yeas 32, nays 5.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Batson,	Mr. Douglass,
Balch,	McClain,
Brabson,	Reneau,
Buchanan,	Stuart, &
Camp,	Turney—5.
Cheatham,	
Crisp,	
Dulaney,	
Fitzgerald,	
Frazier,	
Gibbs,	
Graham,	
Harden,	
Hope,	
Huling,	
Kelly,	
Kincaid,	
Lytle,	
McAlister,	
McFarland,	
McIver,	
Martin,	
Massengill,	
Moore,	
Parsons,	

Perkins,
Thomas,
Thompson,
Tipton.
Tunuell,
Williamson &
White—32.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Kincaid introduced the following resolutions, which were severally read at the clerk's table, and ordered to lie on the table, to wit:

Resolved, that the treasurer of East Tennessee report to the present General Assembly, the amount of academy money which he has now on hand, or has deposited in the Branch of the Bank of the State of Tennessee at Knoxville, distinguishing betweeen the principal and interest—and what amount is in the hands of individuals, under former laws. And what amount has been paid over by him to the treasurer of West Tennessee; whether the whole amount to which West Tennessee is entitled of said fund, has been paid over—and the amount which has been paid over—how much was considered principal and how much interest, inclusive, up to the present time, as well as the rateable portion to which Tennessee is entitled of the whole academy fund:

Resolved, that the treasurer of West Tennessee report to the present General Assembly what amount of the academy money has been received by him from the treasurer of East Tennessee, inclusive up to the present time. Of which amount, how much was considered principal and how much interest—how much of said amount is now in the hands of individuals, under previously authorized loans—how much has been deposited in the Bank of the state of Tennessee, and how much of said deposit was interest and how much principal. Also, what is the rateable portion to which each county in this state is entitled to for their respective academies, as a divi-

dend of interest upon the academy fund up to the the present time.

Mr. Massengill returned a bill for the relief of Wm. Ussery, with an amendment.

Ordered, that said bill and amendment lie on the table.

A message from the Senate by Mr. Dance their clerk.

Mr. Speaker:

The Senate concur in your resolution, directing the sheriff of Giles county to suspend the sale of certain negroes.

And then he withdrew.

Mr. White returned a bill directory to the entry taker of the Hiwassee District, with an amendment.

Ordered: that said bill and amendment lie on the table.

The hour having arrived at which the two houses were to assemble, in the hall of this house, for the purpose of electing a senator in congress for six years commencing on the fourth day of March next.

Ordered, that the clerk do inform the Senate that this house is now ready to receive them for that purpose.

Immediately after which, Mr. Speaker and the gentlemen of the Senate assembled in this house, & thereupon proceeded in said election.

And upon an examination of the first ballot, it appeared that John Henry Eaton, of the county of Williamson, was elected—which result was announced by the Speaker of the Senate.

Whereupon,

The Speaker and members of the Senate withdrew.

And then the house adjourned.

MONDAY, NOVEMBER 6th, 1826.

Mr. Turney presented a petition of sundry inhabit-

ants of the county of Bledsoe, praying the passage of an act releasing John Holman from the balance of his imprisonment for manslaughter.

Ordered, that the said petition be refered to the committee of propositions and grievances.

Mr. Graham presented a petition of Richard Fenner, praying a certificate warrant for three hundred and fifty acres.

Also, a return of the clerk, of the number of captains, companies and justices of the peace in Jackson county;

Also, a return of said clerk, of the enumeration of the taxable inhabitants of said county.

Ordered, that said petition be referred to the committee on land claims—that the first of said returns be referred to the committee of captains, companies and justices of the peace, and that the last of said returns lie on the table.

Mr. Fletcher presented a petition of sundry inhabitants of Franklin county, praying that Jessee Reynolds may be appointed a justice of the peace for said county.

Ordered, that said petition lie on the table.

Mr. Lytle, from the committee on land claims, reported a resolution to provide for the issuance, adjudication, and satisfaction of the grants, certificates, and land warrants therein mentioned.

The said resolution was read,

And the question being taken on agreeing thereto,

It was determined in the affirmative,

Ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

Mr. Tipton, from the penitentiary committee, reported a bill to amend the penal laws of this state, and to establish a jail and penitentiary house therein.

The said bill was read the first time and passed.

Ordered: that the clerk do carry the said bill to the senate.

The speaker laid before the house a letter from James C. Mitchell, in relation to the reservations taken in the Hiwassee District.

The said letter was read, and ordered to be sent to the Senate.

The speaker also laid before the house a petition of Jonathan Pennywel. and William Peneywell, praying the general assembly to transfer to them the devise made by Mason Lea to the state of Tennessee.

Ordered, that said petition lie on the table.

Mr. Williamson introduced a bill to alter the names of the persons therein mentioned.

Mr. Tunnell introduced a bill to authorize the court of pleas and quarter sessions of Anderson county to build a house for the accomodation of the poor of said county.

Mr. Fletcher introduced a bill for the relief of Polly B. Caperton, also

A bill concerning costs in certain cases.

Mr. Fitzgerald introduced a bill to encourage the building of mills in the Western District; also

A bill to change the time of holding drill musters in the thirteenth brigade, also

A bill authorizing the creation of a volunteer company of artillery in the town of Paris.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

On motion of Mr. Crisp,

The house took up and proceeded to consider his resolution of the inst. for the removal of the office of the surveyor general of the tenth district.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

Mr. Moore introduced the following resolutions—which were read and ordered to lie on the table.

Resolved, that the committee on military affairs be instructed to collect all bills that have been introduced, amendatory of the militia laws at the present session, and report the same in one bill to this house.

Resolved, that the public printer be instructed to print the militia laws that may be passed at the present session, in pamphlet form, and that one copy be presented to each field and staff officer, and to each captain's company.

On motion of Mr. Fletcher,

Resolved, by the general assembly of the state of Tennessee, that Jesse Reynolds be, and he is hereby appointed a justice of the peace for Franklin county.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Fletcher introduced a resolution, directing that certificate no. 3282, issued by the register of West Tennessee to Randolph Ross for 20 acres, be referred to the commissioner for adjudication.

Ordered, that said resolution be referred to the committee on land claims.

A bill to legalize the official acts of John Hannah, Senior,

A bill for the relief of John Laird,

A bill for the benefit of Samuel Buchanan,

A bill to repeal the laws respecting cotton gins,

A bill to amend the first section of an act to empower the county court of Bedford to appoint commissioners to contract for and superintend the building a bridge over Duck river and for other purposes,

A bill for the benefit of Alexander Campbell,

A bill to amend an act requiring clerks of chance-

ry courts to furnish books for keeping the records & proceedings of their respective courts,

A bill to repeal an act entitled an act to revive an act for the benefit of certain reservees, and

A bill supplemental to an act entitled an act to authorize Samuel Terry, Peter Hoodenpyl and William Rainey to open a turnpike road.

Were severally read and passed a second time.

Ordered, that the clerk do carry the said bills to the senate.

A bill from the senate, to authorize a lottery for the benefit of Cumberland college.

Was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled anact to alter the time of holding the county courts for the counties of Lincoln and M'Nairy.

An act supplemental to an act for the relief of Thomas Taylor, and an act to incorporate the inhabitants of the town of Brownsville in the county of Haywood.

And then he withdrew.

The speaker signed the said enrolled bills.

Ordered, that the clerk deposit the said enrolled bills in the office of the secretary of state.

Mr. Turney who had withdrawn for amendment a bill to authorize the judges of the supreme court to certify bills of costs in certain cases, with an amendment.

Mr. Huling made a motion to amend the said amendment.

Ordered, that the said bill and amendments lie on the table until to-morrow.

A bill for the relief of clerks and solicitors, was

read the second time, amended on motion of Mr. Bunch, and passed.

Ordered, that the clerk do carry the said bill to the senate.

Ordered, that mr. M'Farland have leave to withdrew for amendment, a bill for the relief of certain citizens of Sevier county.

Ordered, that mr. Gibbs have leave to withdraw for amendment, a bill to form the volunteer companies attached to the 9th brigade into a regiment.

Ordered, that Mr. Stuart have leave to withdraw for amendment, a bill to alter the time of holding the chancery court at Greenville.

Ordered, that mr. White have leave to withdraw for amendment, a bill to authorize Reuben Ross to open a turnpike road.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

I am directed to deliver to this house a report from the treasurer of west Tennessee made in obedience to a joint resolution of the general assembly, concerning the amount of monies received from the register of the western district; also a report from the secretary of state in obedience to a joint resolution of the general assembly; concerning the number of land warrants issued since the session of 1825.

The senate have passed a resolution that no bill shall be introduced into either branch of the general assembly, except reported by a committee of one of the two houses after the 15th of the present month.

In which they ask the concurrence of this house.

And then he withdrew.

Ordered, that the reports of the treasurer and secretary of state do severally lie on the table.

The house proceeded to consider the senates resolution fixing a day beyond which bills should not be introduced into either branch of the general assemby.

Mr. Fletcher made a motion to strike out the words 15th of the present month and insert the words December 1st.

A division of the question was demanded by the house.

Whereupon, the question was first put.

Will the house fix on a day beyond which bills shall not be introduced during the present session.

It was determined in the affirmative.

The question was then stated:

Will the house strike out the words 15th of November and insert December 1st, and

It was determined in the affirmative.

Ordered, that the clerk acqaint the Senate therewith, and ask their concurrence therein.

Mr. Hope introduced a bill for the benefit of Jesse Galloway.

Mr. M'Iver introduced a bill supplemental to an act entitled an act to establish a bank of the state of Tennessee.

Which bills were severally read the first time and passed.

The house took up a bill to apportion the representation of the s tate in the legislature.

Mr. Brady made a motion to amend the bill by inserting therein the following words:

That the county of Rutherford shall elect two representatives, and shall continue to return two representatives, until the next apportionment of this state.

And the question being taken thereon,

It was determined in the negative.

The said bill was then read a second time, amended on motion of Mr. Huling and Mr. Parsons and passed.

A bill from the senate to preserve the integrity of the capital stock of the bank of the state of Tennessee.

Was read the first time and passed.

Mr. Buchanan introduced a bill to alter the times of holding the courts therein mentioned.

Which bill was read the first time and passed.

Ordered: That the clerk do carry the said bills to the Senate.

Mr. Douglass introduced a resolution for the relief of the representatives of William Armstrong.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Turney returned a bill directing the disposal of academy monies, without amendment.

Ordered, that said bill lie on the table until tomorrow.

Mr. Lytle introduced resolutions to provide for certain land claims therein mentioned.

Ordered, that said resolutions be referred to the committee on land claims.

And then the House adjourned.

TUESDAY, NOVEMBER 7, 1826.

The Speaker laid before the house letters from Gideon Morgan Jr. John Walker Senr. and Col. James C. Mitchell, and a petition of sundry inhabitants of the Hiwassee district soliciting the general assembly to interpose and extend her good offices and influence with the senate of the United States in the opening a canal to unite the Tennessee and Alabama waters.

Ordered, that the clerk do carry the said letters and petition to the senate.

Mr. Delany presented a petition of, sundry inhabetants of the county of Sullivan, praying that George Willard may be permitted to keep up his fish trap and dam on Holston river.

Ordered, that said petition lie on the table.

Mr. Frazier presented a petition of Isaac Jones of Knox county, praying the passage of a law authorizing him to sell goods, wares and merchandize without licence.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Douglass presented a petition of William Wray jailor of Overton county, praying the passage of a law, requiring county courts to lay a tax to pay jailors fees.

Ordered, that said petition be referred to the committee of propositions and grievances.

On motion of Mr. Gibbs,

Ordered, that the petition of Elihu C. Crisp be referred to the committee on land claims.

Mr. Thompson presented an account of Fitzgerald and Maury, praying compensation for printing done by order of the executive

Ordered, that said account be referred to the committee of claims.

Mr. Batson presented the clerks return of captains companies and justices in Dixon county.

Ordered, that said return be referred to the committee of captains companies and justices of the peace.

Mr. Fletcher introduced a bill concerning the Winchester l ght infantry company.

Mr. Parsons introduced a bill to amend the militia laws of this state.

Mr. Turney introduced a bill for the relief of John Holman.

Mr, *M* Iver introduced a bill to authorize the county court of Gibson to lay a tax and for other purposes.

Mr. Crisp introduced a bill for the benefit of John H. Bills, and

Mr. Hope introduced a bill to prevent suitors in the county or circuit courts, from being summoned as jurors.

Which bills were severally read the first time and passed.

Ordered that the clerk do carry the said bills to the senate.

Mr. Gibbs returned a bill to form the volunteer

companies, attached the 10th brigade of Tennessee militia into a regiment, with an amendment, which was read.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

The said bill was then read a second time and passed.

Mr. Harden returned a bill to further provide for the occupants of the western district, with an amendment, which was read.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

The said bill was then read a third time and passed.

A bill for the benefit of the representatives of John Carter.

Was read a third time and passed.

Ordered, that the clerk do carrry the said bills to the Senate.

On motion of mr. M'Clain,

Resolved, that James Shelton be appointed a justice of the peace for the county of Smith.

Ordered: that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

Mr. Turney made a motion, that the house do come to the following order as an additional rule for the government of the house, to wit:

No member of this house shall call for any bill except those reported by committees, but that the same shall be taken up and acted on according to seniority.

And the question being taken on agreeing thereto.

It was determined in the negative.

A message from the senate by Mr. Dance their clerk:

Mr Speaker,

The senate concur in the resolution of this house, authorizing the surveyor of the 10th district

to remove his office to Bolivar or its vicinity; also in your resolution directing the commissioner of west Tennessee, adjudicate grants No 2940, 2783 and 47 also in your resolution, to provide for the issuance, adjudication and satisfactin of the Grants Certificates aud land warrants therein mentioned.

The senate have passed a resolution directing that military warrant No 649 for 640 acres issued to William Foster, dated October 27th 1820, be referred to the commissioner of west Tennessee for adjudication, in which they ask the concurrence of this house. And then he withdrew.

And the question being taken on agreeing to the aforesaid resolution of the senate.

It was determined in the affirmative,

Ordered, that the clerk acquaint the Senate therewith.

A bill to authorize the clerks of the circuit and county courts to do certain duties,

Was read a second time.

And the question being stated,

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill to establish academies in the counties of Bledsoe and Marion.

Was read a third time and passed.

A bill to authorize Reuben Ross to open a turnpike road was read a second time and passed.

A bill for the relief of Andrew Donavon.

A bill supplemental to an act entitled an act to annex part of Marion county to the county of Franklin.

Was read a third time and passed.

A bill to authorize the drawing of a lottery for the benefit of Cumberland College, was read a second time and passed.

A bill for the benefit of David Rich of Franklin county.

Was read a third time and passed,

A bill for the relief of Reuben Smith and James N. Smith.

Was read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill supplemental to an act regulating the mode of licencing attornies at law, was read a second time.

Mr. Turney made a motion to postpone the said bills indefinitely.

And the question being taken thereon,

It was determined in the affirmative,

And so the said bill was indefinitely postponed.

A bill supplemental to an act entitled an act to establish offices for receiving entries for the vacant land north and east of the congressional line, and

A bill authorizing the county court of Hardeman to lay a tax to build a court house in *Bolivar*.

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Crisp introduced a bill for the benefit of Jessee Williams.

Mr. Desha introduced a bill to authorize the Treasurer of west Tennessee to pay to John Haywood and Robert L. Cobbs $500 each.

Mr. Reneau introduced a bill to amend an act entitled an act to authorize John Brabson of Sevier county, to build a mill dam across the south sluice of French Broad river.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Graham introduced a resolution directing the commissioner of land claims to adjudicate grant No 3045 for 25 acres.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Turney introduced a resolution appointing

William Foster, Samuel H. Gott, Anderson Cheek, Elijah Hornbeck and Daniel R. Rawlings justices of the peace for the county of Marion.

And the question being taken, on agreeing to the said resolution,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

On motion of mr. Frazier,

Ordered, that Frederick S. Heiskell editor of the Knoxville Register, be permitted to occupy a seat within the bar of the house for the purpose of collecting minutes of its proceedings.

A bill for the relief of John Laird, was read a third time.

And the question being stated:

Shall the said bill pass!

It was determined in the negative.

And so the said bill was rejected.

A bill to fix permanently the seat of justice in Shelby county, and

A bill for the relief of John Sutton and Samuel Buchanan,

Were severally read the first time and passed.

A bill to authorize the drawing of a lottery, for the benefit of the Shelbyville Dixon academy, and

A bill to authorize the clerks of the circuit and county court of Morgan county to keep their offices at their own houses.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Mr. Stuart returned a bill to alter the time of holding the chancery court at Greenville.

Mr. Stuart made a motion to amend the bill by altering the term of holding said courts from the third mondays in and to the 4th monday in and

And the question being taken thereon,

It was determined in the affirmative.

Ordered, that said bill lie on the table until Tuesday the 14th inst.

Mr. Fitzgerald introduced a bill to apply the navigation tax of the counties of Obion and Weakley to the cutting of roads and making bridges.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Mr. Lytle introduced a resolution for the benefit of the heirs of William Dobbins.

Ordered, that said resolution be referred to the committee on land claims.

Mr. M'Farland returned a bill for the relief of certain inhabitants of the county of Sevier, without amendment.

The said bill was read a second time and passed.

Ordered, that the clerk do carry the said bill to the Senate,

A bill for the benefit of the owners of public ferries.

Was read a third time,

And the question being stated:

Shall said bill pass.

It was determined in the negative.

Yeas 19, Nays 19.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Buchanan,
Balch,	Cheatham,
Brabson,	Crisp,
Camp,	Desha,
Douglass,	Gibbs,
Dulany,	Hall,
Fletcher,	M'Alister,
Fitzgerald,	M'Farland,
Frazier,	M'Clain,
Graham,	M'Iver,

Harden,	Martin,
Hope,	Parsons,
Kelly,	Perkins,
Lytle,	Reneau,
Massengill,	Stuart,
Moore,	Thomas,
Tipton,	Thompson,
Tunnell, and	Williamson and
Turney—19.	White—19.

And so the said bill was rejected.

Mr Thomas made a motion to suspend the 8th rule of the house, and that the question on the passage of said bill be reconsidered.

A division of the question was demanded by the House.

Whereupon, the question was first put,

Will the house suspend the eighth rule for the government of this house?

And it was determined in the affirmative.

The question was then stated:

Will the house reconsider the question on the passage of said bill.

And it was determined in the affirmative.

And so the question was reconsidered.

Ordered, that Mr. Turney have leave to withdraw the said bill for amendment.

And then the house adjourned.

WEDNESDAY, NOVEMBER 8, 1826.

Mr. Massengill presented a report of the Treasurer of east Tennessee containing a detailed account of his proceedings under the act of 1825 providing for the sale of the school lands.

The said report was read and ordered to be sent to the senate.

Mr. Douglass presented a petition of Robert Officer praying a discontinuance of a part of the Cumberland turnpike road.

Ordered, that said petition be referred to the com-

mittee of propositions and grievances.

Mr. Fletcher presented a petition of sundry inhabitants of Franklin county, praying the passage of a law authorizing Jesse T. Wallace to construct a dam and canal in said county.

Ordered, that said petition be refered to the committee of propositions and grievances.

Mr. Lytle presented a petition of John C. M'Lemore praying the passage of a law authorizing him to remove an entry which includes an island in the Mississppi river.

Ordered, that said petition be referred to the committee on land claims.

Mr. Huling introduced a bill to repeal part of the act relating to the navigation of Red river.

Mr. Fitzgerald introduced a bill to make it lawful for householders to view and mark roads.

Mr. Balch introduced a bill to divorce George Furr from his wife Eleanor.

Mr. Moore introduced a bill for the relief of the attorney general of the 8th district.

Mr. Hardin introduced a bill to establish the 16th judicial circuit.

Mr. Fletcher introduced a bill for the limitation of actions.

Mr. Douglass introduced a bill for the benefit of Edward Durant, and

A bill to incorporate the mount cumberland academy.

Mr. Batson introduced a bill further to amend an act entitled an act for the relief of insolvent debtors.

Mr. Huling introduced a bill to provide for the building or repairing a jail in Montgomery county.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Turney returned a bill for the benefit of owners of public ferries, with an amendment.

Ordered, that said amendment lie on the table.

Whereupon,

The said bill was amended on motion of mr. Parsons, read the third time and passed.

Ordered that the clerk do carry the said bill to the senate.

A bill for the relief of Alfred H. Douglass.

A bill for the benefit of John Proffit.

A bill for the relief of William Scott.

A bill to authorize the building of a new jail in Lincoln county.

A bill to authorize a lottery for the improvement of Forked Deer river.

A bill for the relief of John the reputed son of John Stafford.

A bill for the relief of the sheriff of Carroll county.

A bill for the relief of the securities of the entry taker of Stuart county.

A bill to encourage the building of mills in the western district, and

A bill to alter the names and make legitimate the persons therein named.

Were severally read the 2nd time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to transfer certain causes from the circuit court of Marion to the circuit court of Franklin county.

A bill for the relief of Joshua Hadley.

A bill for the relief of Jonathan Bauchman.

A bill for the relief of Alexander Campbell.

A bill to repeal the laws respecting cotton gins.

A bill to legalize the official acts of John Hannah Sen'r. and

A bill for the benefit of Samuel Buchanan.

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to alter the names of the persons therein named.

Was read the third time and last time passed and ordered to be engrossed.

A bill for the relief of Robert Craig.

A bill for the benefit of persons having fractions of warrants.

A bill to incorporate the Hiwassee canal company.

A bill for the relief of Alice I. Wilson.

A bill for the relief of the purchasers of land in John Heldrebrands reservation.

A bill more effectually to prohibit Tipling houses.

A bill to provide for honest claimants and to prevent speculation in county claims.

A bill for the relief of Andrew Taylor late sheriff of Carter county.

A bill vesting particular powers in the county court of Monroe.

A bill directory to the entry taker of the Hiwassee district.

A bill for the relief of the Murfreesboro centinels, and

A bill to repeal an act directing certain papers to be read in evidence in reservation suits.

Were severally read the first time and passed.

Ordered, that the clerk do carrry the said bills to the Senate.

Ordered, that mr. Stuart have leave to withdraw for amendment, a bill to change the name of Rhodam Moore to that of Rhodam Yoe.

A bill for the relief of regular ministers of the gospel, was read the first time amended on motion of Mr. Kelly, and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to authorize a special term of the circuit court for the county of Greene, was read the first time.

Mr. Balch made a motion to lay the said bill on the table indefinately.

And the question being taken thereon,

It was determined in the affirmative.

Ordered, that a bill for the relief of William Ussery, with mr. Massengill's amendment thereto be referred to the committee of claims.

Mr. Gibbs introduced a bill for the relief of the heirs of Lewis Odam.

Ordered, that said bill be referred to the committee on land claims.

A bill to authorize Wyly Ledbetter to hawk and peddle without license,

was read a second time, amended

On motion of Mr. McIver, and passed.

Ordered, that the clerk do carry the said bills to the Senate.

On motion of Mr. Tipton,

Resolved, that the Secretary of State be directed to lay before this house a copy of any report or certificate, or other instrument of writing, transmitted to his office by the United States agent to the Cherokee Indians, or by any deputy or sub-agent, relative to reservations taken by Cherokee Indians under Jackson's or Calhoun's treaties.

A message from the Senate by Mr. Dance, their clerk.

Mr. Speaker:

The Senate concur in your resolution, appointing James Shelton a justice of the peace for the county of Smith.

And then he withdrew.

Mr. Dulaney introduced a resolution authorizing Robert R ea to file grant no. 8518, with the commissioner of land claims for adjudication.

Ordered, that said resolution lie on the table.

Mr. McIver introduced a resolution to appoint justices of the peace in and for the counties therein mentioned.

And the question being taken on agreeing thereto,

It was determined in the affirmative,

Ordered, that the clerk do carry the said resolu-

tion to the Senate, and ask their concurrence therein.

And then the house adjourned.

THURSDAY, NOVEMBER 9, 1826.

Mr. Brabson presented a memorial of Marius Oury, praying the passage of a law restoring him to the rights and privileges of citizenship, and that a fine of fifty dollars assessed against him by the county court of Campbell, be refunded by the trustees of said county to the memorialist.

Ordered, that so much of said memorial as relates to the privileges of citizenship, be referred to the committee of propositions and grievances; and so much of said memorial as relates to the fine of fifty dollars, be referred to the committee of claims.

Mr. Hope presented a petition of sundry inhabitants of the counties of Campbell, Morgan and Fentress, praying for a new county.

Ordered, that said petition be refered to the committee on county lines.

Mr. Tipton presented a petition of James Hall, praying a reduction in the amount bid by him for the S. W. F. quarter section 26. F. T. 3, range 3—east of the meridian of the Hiwassee land sales,

Also, a petition of William S. Blair, praying the passage of a law directing the treasurer of East Tennessee to refund him the amount he paid the tate, as the purchaser of the north east quarter of section 19, second F. T. 4 R. E. at the Hiwasse land sales, the said quarter section having been lost by the petitioner in an action of ejectment brought against him by Bold Hunter, a Cherokee reservee.

Also, a similar petition of Elizabeth Upton, as the purchaser of the south west quarter of section 18—which has been recovered by the said Cherokee reservee.

Ordered, that said petitions be referred to the committee on claims.

Mr. Camp presented the clerk's return of the number of captains companies and justices of the peace in Giles county.

Ordered, that said return be refered to the committee of captains companies and justices of the peace. Mr. Reneau, from the committee of claims, reported a bill for the relief of Abram P. Maury and John Fitzgerald,

Also, that the commitee had examined the vouchers in support of the bill for the relief of William Ussery, and Mr. Massengill's proposed amendment thereto, and that said bill and amendment ought to pass.

The first of said bills was read the first time and passed,

The second of said bills was read.

And the question recurring on Mr. Massengill's amendment,

It passed in the affirmative.

The said bill was further amended on motion of Mr. Tipton, and

Ordered, that Mr. Balch have leave to withdraw the said bill.

Mr. Camp, from the committee of propositions and grievances, made a report, and the resolution therein contained was read at the clerk's table as follows:

Resolved, that the several prayers of the petitions of William Wray, Henry Beidleman, Thos. Welch, and the citizens of Rhea and Hamilton counties, ought not to be granted.

Mr. Crisp made a motion to nonconcur with the report of the committee on the petition of T. Welch.

And the question being taken thereon,

It passed in the negative.

The question was then stated:

Will the house concur in the report of the committee?

And it was determined in the affirmative.

Mr. Camp, from the same committee, reported

bills for the relief of Micajah L. Armstong, Isaac Jones and Elijah Tilford,

Which biils were severelly reed the first time and passed.

Ordered, that said bills be sent to the senate.

Mr. Huling, from the committee for enrolled bills, reported an act to alter the name of the person therein named, truly enrolled.

The speaker signed the said act.

Ordered, that the clerk do carry the said act to the Senate.

A message from the Senate by Mr. Dance their clerk.

Mr. Speaker,

The speaker of the senate did this day sign an enrolled billl for the relief of John Carter's representatives.

And then he withdrew.

The speaker signed the said act.

Ordered, that the clerk deposit the said act in the secretary's office.

On motion of Mr. Crisp,

Ordered, that the committee of claims be discharged from the further consideration of the petition of Elihu S. Crisp, surveyor general of the tenth District.

Whereupon,

Mr. Crisp introduced a bill for the benefit of the surveyor general of the ten th District,

Mr. Brabson introduced a bill for the benefit of Elizabeth Whelis.

Mr. Kelly introduced a bill supplemental to an act entitled an act to amend an act entitled an act supplemental to an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of little Tennessee river.

Which bills were severally read the first time and passed.

Ordered, that said bills be sent to the senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The senate concur in the resolution of this house appointing justices of the peace for the counties of Bedford and Marion.

The senate have passed a resolution appointing justices of the peace for the counties of Carter, Humphreys, Henry, Weakley, Perry and Bedford in which they ask the concurrence of this house.

And then he withdrew.

And the question being taken on agreeing to said resolution.

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Fletcher from the committee for enrolled bills, reported that the committee had examined a resolution directing the commissioner to adjudicate the grants therein named, and

A resolution to provide for the issuance adjudication and satisfaction of the grants certificates and land warrants therein named, and found them to be truly enrolled.

The speaker signed the said resolutions.

Ordered, that the clerk do carry the said enrolled resolutions to the senate.

The house took up a bill to apportion the representation in the general assembly.

Mr. Hardin made a motion to amend the bill by annexing the county of M'Nairy to the representative district composed of the counties of Lawrence, Wayne and Harden.

And the question being taken thereon,

It passed in the affirmative.

Yeas 23, Nays 15.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are

Mr. Batson,
Baich,
Brabson,
Buchanan,
Douglass,
Fletcher,
Hardin,
Hope,
Kincaid,
M'Alister,
M'Farland,
M'Iver,
Martin,
Parsons,
Perkins,
Reneau,
Stuart,
Thompson,
Tipton,
Tunnell,
Turney
Williamson and
White—23.

Those who voted in the negative, are

Mr. Camp,
Cheatham,
Crisp,
Desha,
Dulany,
Frazier,
Gibbs,
Graham,
Huling,
Kelly,
Lytle,
M'Clain,
Massengill,
Moore. and
Thomas—15

Mr. M'Iver made a motion to amend the bill by striking out Boliver and inserting Brownsville.

And the question being taken thereon,

It passed in the negative.

Yeas 16, Nay- 22.

Those who voted in the affirmative, are

Mr. Balch,
Brabson,
Buchanan,
Douglass,
Hardin,
Kincaid,
M'Alister,
McFarland,

Those who voted in the negative, are

Mr. Batson,
Camp,
Cheatham,
Crisp,
Desha,
Dulany,
Fletcher,
Fitzgerald,

McIver,	Frazier,
Martin,	Gibbs,
Parsons,	Graham,
Perkins,	Hope,
Reneau,	Huling,
Thompson,	Kelly,
Tipton,	Lytle,
Tunnell and	McClain,
Turney—16.	Massengill,
	Moore,
	Stuart,
	Thomas,
	Williamson and
	White—22.

Mr. Turney made a motion to strike out Delphi and insert Mount Airy.

And the question being taken thereon.

It passed in the affirmative.

Mr. Batson made a motion to strike out John Lethars and insert Charlotte & Centreville alternately commencing at Charlotte.

nd the question being taken thereon,

It passed in the affirmative.

Ordered, that the clerk do carry the said bill to the Senate, and ask their concurrence in said amendments.

A bill for the relief of Andrew Donavin.

A bill to alter the name of Rhodam Moore, and

A bill for the relief of Robert H. Dyer's executor.

Were severally read a second time and passed.

A bill to authorize Reuben Ross to open a turnpike road, and

A bill to amend an act entitled an act for the relief of the heirs of Elisha Purdam deceased.

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Mr. Turney introduced a bill to modify an act of 1817 to prohibit duelling.

TENNESSEE STATE LIBRARY

Mr. Kelly introduced a bill for the benefit of the clerk of the circuit court of M'Minn county, and

Mr. Hardin introduced a bill to establish an academy at Covington in the county of Tipton.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of William P. Cobbs and others, was read and amended on motion of mr. Massengill, and

On motion of Mr. Dulany,

Ordered, that said bill lie on the table until Wednesday next.

On motion of Mr. Kincaid,

The house took up his resolutions of the inst. directory to the treasurers of east and west Tennessee.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

Mr. M'Iver introduced a resolution for the relief of William Tuton.

Ordered, that the said resolution be referred to the committee on land claims.

On motion of mr. Dulany,

Ordered, that the resolution for the relief of Robert Rhea, be referred to the committee on land claims.

On motion of mr. Moore,

The house took up the first resolution submitted by him on the 6th inst.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

A bill to authorize Jesse Lincoln to open a turndike road, and

On motion of mr. M'Clain,

Ordered, that said bill lie on the table until Tuesday next.

The house the day fixed by joint resolution of the two houses, to assemble in the hall of this

house for the purpose of enquiring into the expediency of voting for or against the call of a convention.

Ordered, that the clerk do inform the senate that this house is now ready to receive them for that purpose.

Immediately after which the speaker and members of the senate assembled in this house.

After some time spent here upon the consideration of the subject aforesaid.

The speaker and members of the senate withdrew.

And then the House adjourned.

FRIDAY, NOVEMBER 10, 1826.

Mr. Dulany presented a petition of Saban B. Williams praying to be authorized to keep his office on part of the public square in the town of Blountsville.

Ordered that said petition lie on the table.

Mr. Brabson presented the resignation of Reuben Harper a justice of the peace of Claiborne county,

The said resignation was read and accepted.

Mr. Fraizer presented a memorial of John Boyd praying the general assembly to examine a transcript of legal forms compiled by the memorialist for the use of justices of the peace, and that the general assembly may subscribe for 1500 copies on behalf of the state.

Ordered that said petition and its accompanying transcript be referred to the judiciary committee.

Mr. Hope presented a petition of sundry inhabitants of this state, praying a change in part of the Cumberland turnpike road.

Ordered, that said petition be referred to the committee on internal improvements.

Mr. Fletcher presented a petition of sundry inhabitants of the county of Franklin, praying the passage of a stop law in relation to the collection of debts.

Ordered, that said petition be referred to the committee of propositions and greivances.

Mr. Gibbs presented a petition of William Marchbanks praying a certificate for an interfering land claim.

Ordered, that said petition be referred to the committee on land claims.

Mr. Lytle presented a petition of Robert L. Cobbs praying a certificate for an interfering land claim.

Ordered, that said petition be referred to the committee on land claims.

Mr. Hardin presented a petition of the inhabitants of Somerville in the county of Fayette, praying an incorporation of said town.

Ordered, that said petition lie on the table.

Mr. M'Iver presented a petition of Jane Howard and others praying the passage of a law authorizing them to sell certain land.

Ordered, that said petition be referred to the committee of propositions and grievances.

On motion of Mr. Crisp,

Ordered, that the committee of internal improvements be discharged from the furtl er consideration of the petition of Noah Parker and that said petition lie on the table.

Mr. Gibbs introduced a bill to amend an act entitled an act to incorporate a company for the opening a turnpike road from Nashville to Columbia.

Mr. Camp introduced a bill for the benefit of Early Benson and George Bowers, and

Mr. Brabson introduced a bill to establish a 3d battalion in the 9th regiment of militia.

Which bills were severally read the first time and passed.

Ordered, that said bills be sent to the senate.

Mr. Thomas introduced a resolution for the appointment of Samuel Crawford, John Porter, James Osbourn, James L. Crawford, Thomas English and Samuel W. Arken justices of the peace for the county Maury.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered: that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

On motion of Mr. Fletcher,

Ordered, that a bill to amend the penal laws of this state and to establish a jail and penitentiary house therein.

Be made the order of the day for Tuesday next.

A message from the Senate, by mr. Dance, their clerk,

Mr. Speaker:

The senate concur in your resolution appointing Samuel Shields, Danie Gordwin, Joseph Goode Sterling Graves, Joseph C. Hastin, Alfred Flournoy, Benjamin Hamilton, James S. Haynes, Thomas C. Porter and Alexander Thompson, ju tices of the peace for the county of Giles.

And then he withdrew.

Mr. Camp introduced a bill granting to Henry Hagin certain privileges.

Mr. Buchanan introduced a bill to make lawful grants and entries to lands within five miles of the falls of cany fork.

Mr. Graham introduced a bill to amend an act entitled an act to revise and amend the militia laws of this state.

Also, a bill to revise an act entitled an act to provide for running the line between the counties of Jackson and White.

Mr. Crisp introduced a bill for the benefit of Noah Parker.

Mr. Cheatham introduced a bill for the relief of Mark P. Duncan, and

Mr. Balch introduced a bill directing how any judicial officer shall act before they pronounce acts of the legislature unconstitutional.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to amend the laws respecting Cumberland College.

A bill giving further time to make surveys and obtain grants on entries north and east of the reservation line.

A bill to amend an act entitled an act to improve the navigation of Wolf river, and

A bill to authorize the county court of Humphreys to lay an additional tax to repair the court-house of said county.

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of Samuel Hogg and

A bill concerning costs in certain cases.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to authorize the clerks of the county and circuit courts of *M*organ county to keep their office at their own houses, was read a third time and passed.

Ordered, that said bill be sent to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate concur in the several amendments of the house of representatives to a bill to apportion the representation of the state in the general assembly except annexing the county of *M*'Nairy to the representative district composed of the counties of Lawrence, Wayne and Harden, to which they disagree.

*A*nd then he withdrew.

The said bill was then read the third time, & last time passed, and

Ordered to be engrossed.

A bill for the relief of *A*ndrew Donavan was read

a third time and last time passed, and ordered to be engrossed.

Ordered, that a bill for the relief of William R. Davis of Giles county, be referred to the committee of propositions and grievances.

Ordered, that a bill to amend the militia laws be referred to the committee on military affairs.

Ordered, that Mr. Camp have leave to withdraw for amendment a bill concerning costs in criminal prosecutions.

Ordered that a bill to apply the navigation tax of the counties of Weakly and Obion to roads and bridges, lie on the table until next,

A bill to authorize the county court of Hardeman to lay a tax to build a court house was read a third time & last time passed & ordered to be engrossed.

Ordered, that a bill supplemental to an act to establish a bank of the state of Tennessee lie on the table until Monday next.

A bill to repeal the fourth section of an act concerning the duty of coroners was read the first time, and the question being stated, shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected

A bill to regulate the payment of costs on appeals in certain cases,

Was read the first time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The Senate concur in your resolution appointing justices of the peace for the county of Maury.

The senate have passed a resolution that a joint select committee be appointed with instructions to report a bill, providing for a proper return of the

votes for or againt the call of a convention, in which they ask the concurrence of this house

And then he withdrew.

And the question being taken on agreeing to the said resolution of the Senate,

It passed in the affirmative.

And Mr. Huling, Parsons, Camp and Crisp were appointed the said committee.

Ordered, that the clerk acquaint the senate therewith.

Mr. Fitzgerald introduced the following resolution, to wit:

Resolved, by the general assembly of the state of Tennessee, that the governor of this state appoint a sufficient number of persons qualified to run & mark Walker's line, and that he invite the co-operation of the state of Kentucky.

Ordered,

That said resolution lie on the table.

On motion,

Resolved, that Austin M. Coates, Francis A Poindexter, William Turner and Sterling Peterson, be appointed justices of the peace for the county of Henry.

Jonathan Gilbert and Perry Vincent for the county of Weakley.

John McGhee and John Hubbert for the county of Obion.

James Williams, Charles Miner, Matthew Rogers. Jeremiah P Bellamy, and James Reasons for the county of Montgomery, and

Ethelred P. Horn for the county of Wilson.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. McIver introduced a resolution for the relief of the heirs of Joel Martin and others.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Fitzgerald introduced

A resolution directing that military warrant no. 87, issued to Willis Johnson for one hundred and eighty two acres, be referred to the commissioner for adjudication.

Ordered, that said resolution lie on the table.

A motion was now made,

That when the house adjourn, it will adjourn to meet again on Monday first at 9 o'clock A. M.

And the question being taken thereon,

It was determined in the affirmative.

Yeas 25, nays 13.

The yeas and nays being demanded by the constitutional number of members

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Brabson,
Balch,	Douglass,
Buchanan,	Kincaid,
Camp,	McFarland,
Cheatham,	McClain,
Crisp,	Massengill,
Desha,	Perkins,
Dulany,	Reneau,
Fletcher,	Thompson,
Fitzgerald,	Tipton,
Frazier.	Turney,
Gibbs,	Williamson and
Graham,	White—13.
Harden,	
Hope,	
Huling,	
Kelly,	
Lytle,	
McAlister,	
McIver,	
Moore,	
Parsons,	
Stuart,	
Thomas, &	
Tunnell—25.	

And so it was

Ordered, that when the house adjourn, it will adjourn to meet again on Monday morning at 9o'clock.

And then the house adjourned.

[Note. The adjournment took place to gratify the wish of General Jackson, the favorite of Tennessee.]

MONDAY, NOVEMBER 13th, 1826.

Mr. Parsons presented a petition of sundry inhabitants of the counties of Greene, Hawkins, Washington and Sullivan, praying the passage of a law establishing a new county to be taken from the counties aforesaid.

Ordered, that said petition be refered to the committee on new counties.

Mr. Balch presented a petition of sundry inhabitants of Greene county, praying compensation to justices of the peace.

Ordered, that said petition be refered to the committee on the judiciary.

Mr. Balch presented a petition of Daniel Carter, praying the passage of a law directing the commissioner of land claims to issue him a duplciate land warrant.

Ordered, that said petition be referred to the committee on land claims.

Mr. Brabson presented a petition of Wililam Hewett, accompanied with a bill for his relief. praying the passage of a law restoring him to the rights and privileges of citizenship.

Ordered, that said petition be referred to the committee of propositions and grrevances.

Mr. Tunnel. presented a petition of sundry inhabitants of the county of Anderson praying amendments to the militia laws.

Ordered that said petition be referred to the committee on military affairs.

Mr. Hope presented a petition of William Phag

an, Jonathan Burnard and Flower mullins, praying compensation for guns lost in the late war.

Ordered, that said petition be referred to the committee of laims.

Mr. White presented a petition of sundry inhabitants of the county of White, praying that George Rused may be appointed a justice of the peace.

Ordered, that said petition be referred to the committee on captains companies and justices of the peace.

Mr. Buchanan presented the clerks return of the county of Warren of captains companies and justices of the peace.

Ordered, that said return be referred to the committee of captains companies and justices of the peace.

Mr. Cheatham presented a petition of sundry inhabitants of the county of Robertson, praying amendments in the patrol laws.

Ordered, that said petition be referred to the judiciary committee.

Mr. Gibbs introduced a bill to repeal all laws now in force in this state concerning Indian reservations and for other purposes.

Mr. Parsons introduced a bill to subject to entry a tract of land, lately owned by Walter Simms in the county of Hawkins.

Mr Huling introduced a bill to direct the payment of commissioners under the act of 1825 Chapter 41, and

Mr. Fletcher introduced a bill to encourage the collection and preservation of the antiquities of this state.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Mr. Fletcher from the committee for enrolled bills reported,

An act to authorize the county court of Hardeman to lay a tax to complete the building of a court house in the town of Bolivar.

An act to apportion the representation in the general assembly of Tennessee, and

An act for the relief of Andrew Donivan, to be duly enrolled, when

The speaker signed the said bills,

Ordered, that the clerk do carrry the said bills to the Senate.

On motion of mr. Fitzgerald,

The house proceeded to consider his resolution of the 10th inst directing an adjudication of grant 67,

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A message from the Senate by Mr. Dance, their clerk.

Mr. Speaker:

The speaker of the senate did this day sign enrolled bills entitled,

An act to authorize Reuben Ross to open a turnpike road.

An act for the relief of captain Crawford of Maury county.

An act to establish academies in the counties of Marion and Bledsoe.

An act for the benefit of Jacob Rich of Franklin county.

An act supplemental to an act to annex part of Marion county to the county of Franklin.

An act for the benefit of Alexander Campbell.

An act supplemental to an act entitled an act to establish offices for receiving entries for the vacant land north and east of the congressional reservation, and

A resolution appointing justices of the peace for the counties of Carter, Humphreys, Henry, Weakley and Perry.

And then he withdrew, when

The speaker of this house signed the said bills and resolution.

Ordered, that the clerk deposit the bills and resolution in the office of the secretary of state.

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of little Tennessee river.

A bill for the benefit of Laban B. Williams of Sullivan county.

A bill for the relief of C. T. M. Goodrum.

A bill for the relief of Banks M. Burrow.

A bill to continue in force the provisions of an act passed at the last session of the general assemby.

A bill to authorize the treasurer of west Tennessee, to pay over monies to the county trustees in the western district in certain cases.

A bill concerning sheriff's.

A bill to exempt the land on which Mount Pleasant meeting house stands in the county of Hickman from taxation.

A bill to authorize the county court of Overton to lay a tax for certain purposes.

A bill for the benefit of Jordan Harris.

A bill for the benefit of William B. Clater.

A bill for the relief of Allen D. Gentry, and

A bill for the benefit of Philip I. Smith,

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of John Pavat of Humphreys county.

A bill for the relief of Polly B. Carperton of Franklin county.

A bill for the relief of Jessee Galloway of Roane county.

A bill for the relief of the solicitor general of the 8th district.

A bill to apply the navigation tax of the western district to cutting roads and erecting bridges, and

A bill to authorize James Rogers to open a turnpike road,

Were severally read the second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate concur in your resolution appointing justices of the peace for the counties of Haywood, Henderson, Madison Perry, Gibson, Dyer and Maury,

The senate have passed a resolution that military warrants Nos. 1014 to Isaac Bratcher,
1231 Daniel Twigg,
1223 John Bryan,
1232 Heirs of P. Taylor,
1226 Heirs of Isaiah Parr,
1225 Heirs of Philip Thomas,
1034 Wm. Gregory's Assignee,
and 1227 Heirs of Wm. Parker.
be referred to the commissioner of land claims for adjudication, in which they ask the concurrence of this house.

And then he withdrew.

And the question being taken on agreeing to said resolution.

It passed in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the relief of William Ussery and others, was taken up by the house, and amended on motion of mr. M'Farland and mr. Balch.

Mr. Hope made a motion to recommit the said bill to the committee of claims.

And the question being taken thereon,

It passed in the negative,

The question was then stated:

Shall the said bill pass a second time, and

It was determined in the affirmative.

Yeas 21 Nays 19.

Those who voted in the affirmative; are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Camp,
Batson,	Cheatham,
Balch,	Crisp,
Brabson,	Desha,
Buchanan,	Douglass,
Dulany,	Fletcher,
Fitzgerald,	Gibbs,
Frazier,	Graham,
Hardin,	Huling,
Hope,	Kincaid,
Kelly,	M'Alister,
Lytle,	McClain,
McFarland,	Martin,
M'Iver,	Parsons,
Massengill,	Perkins,
Moore,	Thomas,
Reneau,	Thompson,
Stuart,	Turney and
Tipton,	Williamson—19.
Tunnell, and	
White—21.	

Ordered, that the clerk do carry the said bill to the senate.

A bill to authorize the county court of Anderson to build a house for the accommodation of the poor and for other purposes.

Was taken up by the house, amended on motion of Mr. Thomas and Mr. Parsons, read a second time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

A bill for the benefit of David Richardson clerk of the circuit court of Campbell county.

Was taken up by the house, amended on motion of Mr. Kincaid, read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate.

On motion of Mr. Turney,

Ordered, that a bill to amend an act to revise the mititia laws of this state, be referred to the committee on military affairs.

A bill for the relief of Jasan Thompson, was read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Kelly introduced a bill to amend an act supplemental to an act entitled an act for the encouragement of Iron Works, which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

The house took up a bill supplemental to an act entitled an act to establish a bank of the state of Tennessee, and

On motion of mr. Fitzgerald.

Ordered, that said bill lie on the table until Monday next.

Ordered, that Mr. Stuart have leave to withdraw for amendment a bill to compel entry takers to pay over monies and for other purposes.

A bill to amend the laws respecting Cumberland College,

Was read a second time,

And the question being stated:

Shall the said bill pass!

And it was determined in the affirmative:

Yeas 21, Nays 18.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Batson,	Mr. Brabson,
Balch,	Dulaney,
Buchanan,	Fletcher,
Camp,	Graham,
Cheatham,	Hardin,
Crisp,	Kelly,

Desha,
Douglass,
Fitzgerald,
Frazier,
Gibbs,
Hope,
Huling,
Lytle,
Moore,
Perkins,
Thomas,
Thompson,
Turney,
Williamson &
White—21.

Kincaid,
McAlister,
McFarland,
McClain,
McIver,
Martin,
Massengill,
Parsons,
Reneau,
Stuart,
Tipton, &
Tunnell—18.

Ordered, that the clerk do carry the said bill to the senate.

And then the house adjourned.

TUESDAY, NOVEMBER 14, 1826.

Mr. Kelly presented a petition of sundry inhabitants of the county of Hamilton praying the passage of law authorizing the lines to be run between the counties of Hamilton, Bledsoe and Marion.

Ordered that said petition be referred to the committee on county lines.

Mr. Reneau from the committee of claims to whom was referred a bill for the relief of Robert P. Harrison surveyor general of the 2d district, reported the same with an amendment, to wit: Strike out the word sixty and insert the word thirty.

And the question being taken on agreeing to said amendment,

It passed in the affirmative.

The said bill as amended was then read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Reneau from the same committee, made a

favorable report upon the petition of Henry M. Johnson for the sum of seventy five dollars, which was concurred in by the house.

Mr. Reneau from the same committee made an unfavorable report upon the petitions of James Houston Marius Oury and William Young.

Mr. Frazier made a motion to reverse the report of the committee upon the petition of William Young and that the Chairman of the committee of claims report a bill for the relief of William Young.

And the question being taken thereon.

It passed in the affirmative.

The remainder of the report of the committee of claims was then concurred in by the house on the petitions of James Houston and Marius Oury.

Mr. Gibbs introduced a bill directing the officers therein mentioned to perform certain duties, and

Mr. Frazier introduced a bill to authorize a lottery to build a masonic hall in Knoxville.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of Sampson Black, was read the first time and passed.

A bill directory to the entry taker of the Hiwassee district, was read a second time and passed.

A bill for the relief of William Scott, was read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Turney introduced a bill directing the duty of treasurers and sheriff's in certain cases.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

The house took up a bill to establish a 10th judicial circuit, and

On motion of Mr. Camp,

Ordered, that said bill lie on the table until Monday next.

Ordered, that mr. M'Iver have leave to withdraw for amendment a bill to incorporate the inhabitants of Sommerville in the county of Fayette.

A message in writing was received from the Governor of Tennessee, by Mr. Daniel Graham, secretary of state, who delivered in the same at the speakers table and withdrew.

The said message was read at the clerks table, and is as follows:

GOVERNOR'S MESSAGE,

AND ACCOMPANYING EXTRACTS RELATIVE TO THE CONDITION OF SEVERAL PENITENTIARIES.

Fellow-Citizens of the Senate, and of the House of Representatives:

As you have now before you a bill for the establishment of a Penitentiary, I beg leave to present for your consideration a brief statement of information received from different Penitentiaries in the United States, in answer to a letter addressed to the Governors of states where those institutions are located, of which the following is a copy.

EXECUTIVE OFFICE,
Nashville, July 17th, 1826.

SIR—At the last session of the Legislature of this state, a resolution was passed requiring the Governor to procure certain information from the different penitentiaries in the United States. Not knowing the most suitable person to write to on the subject, I have taken the liberty of addressing your Excellency, and to request (should it in any respect be inconvenient for you to give your personal attention to the business) that you will be pleased to hand over, or transmit this communication to the officer having the superintendance of the penitentiary in your state, or to the person best qualified to give the information sought for.

What is the size of your penitentiary—what did it

cost—how long has it been in use—how high and thick are its walls, and of what are they made? How many cells does it contain, and are they constructed for one or more persons to lodge in? How are your criminals clothed and fed—in what way are they employed, and what is considered the most profitable labour they can be engaged in? What punishment is inflicted for disorderly conduct or disobedience? Does the institution produce a revenue, or is it a charge upon the state? What is your police—have you guards—if so, how many? What would be the proper size for the safe-keeping and employment of sixty or seventy criminals? Have any culprits been confined for second offences? Is it the general opinion of the most experienced and thinking part of your state that penitentiaries afford the best means of obtaining the great ends of justice, to wit: the prevention of crimes and the reformation of criminals?

Our general assembly will be convened about the middle of October next, previous to which time, it is desirable, if convenient, to procure such information touching the foregoing points, as you may be pleased to communicate.

With great consideration, I have the honor to be, very respectfully, Your obedient servant,

WM. CARROLL.

His Excellency,
the Governor of the State of——

STATE OF KENTUCKY.

The penitentiary of this state was established about twenty five years ago. Its exterior is built of stone, four feet thick and fifteen feet high: the wall is four hundred yards round and nearly in a square. It has undergone many changes and alterations since it was first built. As it now stands, it cost about forty thousand dollars. It contains seventy cells constructed for two persons to lodge in.—The expense of clothing criminals is about twelve dollars per annum each, and diet eight cents a day

each. They are employed in shoemaking, blacksmithing, wagon making, manufacturing woolen goods, chair making and stone cutting. In consequence of the demand for the articles in Kentucky, the manufacturing of wool is found to be the most fitable employment.

Punishments are inflicted by causing the delinquents to remove the filth from the yard, and to perform other mortifying & menial offices. Stripes are rarely inflicted. Four guards are employed, an assistant keeper and clerks.

The number of convicts vary from seventy to ninety, and about one fourth of the whole are confined for second offences, but by far the greatest part of them are convicts from other states. The institution was a charge upon the state up to the year 1825.—At the session of 1824, the legislature, with a view of making it support itself, passed a law by which it was leased to an individual for a term of years, subject to examination of the general assembly, and to the particular superintendence of the governor, & a board of I believe commissioners. It is now no charge to the state, and a hope is entertained that it will produce a considerable revenue.

With respect to its usefuluess as a means of reformation, the governor of Kentucky makes the following remarks:

"A reference to Mr. Scott's statement will shew, that as a means of reformation but little is to be hoped for from the system. But it is attended with one advantage, at once obvious and incontestible, and which is admitted on all hands—and that is, that the convicts, for the time they are confined at least, are restrained from committing crimes and from infesting society with their presence and example. Viewing the advantages and disadvantages of the system, I think the conclusion may be safely assumed, that although the people of this state are aware that it is attended with some inconveniences and imperfections, yet that it meets their approbation generally—

and that there is no disposition manifested to any considerable extent to change it for any other."

STATE OF OHIO.

The penitentiary in this state was originally constructed on a small scale, and convicts were first admitted into it in 1815. Since that period it has undergone numerous changes, & various additions have been made at times when materials were at a very advanced price. And as it now stands, it cost the enormous sum of near one hundred and fifty thousand dollars. The outer wall is built of stone, four hundred feet long, and one hundred and fifty feet wide, fourteen feet high, with bannisters extending three feet above the stone work—a brick building two stories high, about one hundred feet long and thirty broad, forms a part of the wall and is principally occupied by the keeper, a house fifty feet by twenty, one story high, is used as a storehouse. The prison building is of brick, two stories high, one hundred & fifty feet long by thirty wide, through the centre of which runs a passage eight feet wide, the cells on each side are sixty four in number, eight by six feet. There are various other buildings, such as workshops, &c. Below the surface of the ground are five dark cells for the punishment of those who violate the rules of the prison; and for the reception of the criminals who are sentenced by the court to a short period of solitary confinement. The present number of convicts is one hundred and fifty eight, and three are lodged in one cell, though it is believed to be improper to lodge more than one. The experience of this institution approves the classification of offenders and solitary confinement by night—this prevents combinations and the old offenders from corrupting the younger in crime. The cost of prosecution is now made a charge upon the penitentiary, which causes a deficit of from four to seven thousand dollars annually, and but for which it would meet its own expenses.

The branches of business pursued are blacksmith's

ing, shoemaking, wagon making, gun smithing, cabit net making, weaving, tailoring, coopering, turning & combmaking. Blacksmithing & shoemaking, the least profitable, though a great portion of the criminals are employed in that way, the articles being those of necessity, command the readiest sale at home. The keeper is the only responsible person—who has under him and appointed by himself an assistant keeper, three assistants in the yard, three guards on the walls, a turnkey at the gate, clerk and physician. The numbea of convicts confined for second offences are about fifteen.

STATE OF VIRGINIA.

In this state the penitentiary has been in operation for twenty six years, and cost the state one huudred and thirty six thousand dollars. The front wall is two hundred and six feet, with a building three stories high, fifty six feet long by twenty six feet wide; a wing at each end running off at right angles ninety four feet; at the termination of the wings commences a semicircular building connecting them, & forming a half oval figure. The outer walls are from five to two and a half feet thick and are of brick.—It contains one hundred and forty eight cells including thtrty one for close solitary confinement under sentence of the court, two large rooms for the females, twelve dungeons to punish offences against the polioe, and twenty rooms for different purposes. One hundred and forty four cells constructed each for one prisoner. The criminals are clothed from cloth made by themselves, and fed by contract at six and a half cents a ration. The convicts are employed at shoe and harness making, blacksmithing, nailing, wheelwrighting, coopering, with other employments, and making burr millstones, the latter of which is by far the most profitable, though in consequence of the small demand it is carried to a very limited extent. For bad conduct they are punished with stripes and confinement in the dungeon on bread and water. The institution as at pre-

sent organized, is a charge upon the state of about eight thousand dollars, including the expense of transporting criminals from different parts of the state, though it is believed that there are practical alterations which can be made, that will make it not only pay all charges but produce a revenue to the state. The penitentiary is under the direction of a superintendant and seven assistants, the whole management of the interior under the control of a board consisting of five directors. A small guard is employed. Since the institution went into operation, about fourteen hundred convicts have been admitted, of which number seventy five are for second & third offences, but for the last two years, the latter description are much fewer to the whole number than formerly—this no doubt is owing to the increased rigor of the police and of the laws. The superintendant believes that the opinion of the most enlightened part of society is in favor of a well regulated penitentiary system, as the best means of attaining the great ends of justice and the prevention of crimes—that executive clemency has a tendency to increase crime—that humane punishment to have the effect of keeping vice in check, should by its mildness be certain in its infliction, that no feelings of sympathy beyond the justice and humanity of the law should prevail to exempt the offender from the correction his country has preseribed for his wickedness. Gov. Taylor writes me as foilows on the subject:

"That the experienced part of the state believe that penitentiaries afford the best means of attaining the great ends of justice is sufficiently evident from the single fact, that two years since the penitentiary at this place was consumed by fire, and that altho' a fair opportunity was thus afforded of abolishing the system, yet the legislature directed its rebuilding with very considerable enlargements. As to its practical results, it may be safely asserted that it has been attended with no augmentation of crime—reference being had to the list of judicial convictions

before its erection, taken in connection with the numbers of our inhabitants. This of itself argues decisively in its favor, since under any severe code of laws where offences less than murder are punished with death, the principle of mercy often interposes to rescue the guilty from punishment, whereas under this system that principle cannot successfully be invoked, and crime uniformly meets its reward.

STATE OF NEW-JERSEY.

In 1797 the penitentiary of this state was established, and in September 1798, the first prisoner was received, since which time there has been confined 1071 criminals. There are now seventy convicts—four of whom are confined for second offences and two for a third. The penitentiary consists of a house fifty feet in front, cellar, kitchen, bakery a dining hall, an office, committee room, a large hall, two rooms for the keeper, a hall and four rooms above for the same use—two wings projecting north and south from this building, three stories high, each containing six rooms and an eight feet hall. At the north wing there is a building three stories high, containing twelve cells to punish the refractory and disobedient. Another house at the south wing, forty by fifty feet, four stories high, containing forty cells, six by eight feet, adopted for one person, and are occupied by those who are sentenced to solitary imprisonment. The outer walls are eighteen feet high, fourteen of which are stone, and four at the top of bricks, three feet thick at the base and two at the top, the whole inclosing two acres of ground. The first cost fifty thousand dollars, but considerable sums have since been appropriated which have greatly augmented the charge. The criminals are employed in shoemaking, weaving, sawing marble and pounding plaster of paris. The costs of convictions, and transporting criminals are chargeable on the institution, so that in that way it is a heavy charge upon the state. It is believed however that it would meet all expenses if a profitable business could be

followed where the raw material would cost but little, the labor considerable and the market for the article when made on the spot, It is thought to be the most humane manner of punishing crimes, and the best calculated to reform the culprit. The institution is under the control of a keeper, with three assistants constantly in the yard superintending the work. It has also a clerk to keep the accounts, and a centinel on the walls.

STATE OF NEW-HAMPSHIRE.

The penitentiary in this State has been in use since the year 1812. The institution consists of a large three-story building, seventy feet by thirty-six feet, connected with which is a house forty-nine feet by twenty-two, the walls three feet thick, and entirely of granite. It contains thirty-six cells, eight by nine feet, and six in the upper story ten by seventeen feet. Two convicts usually lodge in one cell, four may, but it is agreed that good policy requires that only one should occupy a cell. The criminals are employed in making wagons, blacksmithing, coopering and hewing stone. The latter has been their principal employment for the last eight years —at which they not only pay all expenses, but produce a revenue to the state. The work is done very nice and transported to Boston where it finds a ready market. From May 1812 to May 1822, twenty-seven thousand four hundred and sixty-three dollars have been drawn from the treasury for the support of the institution; since that period the clear gain has been twenty thousand dollars, or near that sum. The usual number of convicts is from fifty-four to seventy four—the whole number since 1812, is two hundred and fifty-seven, eleven of whom for second offences. Governor Merril writes—"My own opinion is decidedly in favor of Penitentiaries if rightly constructed and properly managed. They should be so formed that one only should occupy a cell, that all nocturnal intercourse and conversation should be prevented. Auburn prison in New-York

is the best constructed of any in the United States for these purposes." In this prison the recommitments are less than one to twenty, whereas in those on a bad plan and badly managed, such as the New-York state prison, the Philadelphia and Massachusetts penitentiaries, the recommitments are about one to four. The New-Hampshire Penitentiary is surrounded by a wall two hundred and fifty nine, by one hundred and ninety-two feet, fourteen feet high surrounded by a range of pickets fourteen feet. The officers of the institution are a warden and deputy warden. There are also a physician, chaplain two overseers of the work-shops and four guards. The governor and council are the directors of the institution.

STATE OF MARYLAND.

The buildings of the Penitentiay in this state, are surround by a wall of eighteen feet high, and surmounted by a wooden parapet of four feet, and encloses an area of four acres. The original cost of the lot and buildings was eighty-eight thousand four hundred and seventeen dollars. Subsequent additions and improvements have increased the cost to one hundred and forty five thousand dollars. In January 1812, the first prisoner was received under the penitentiary laws. The prison department is one hundred and fifty-five feet in length, thirty nine in breadth, and forty five high, containing four stories. The number of sleeping-rooms is thirty-six; they are constructed to lodge ten persons, twenty-two cells for the punishment of offences committed in the house, and to carry into effect the sentences of the courts. The prioners are employed in weaving, hatting, comb making, dying and cutting stone. Weaving is the most lucrative business, in consequence of the excellent texture of the goods; their superiority in every respect, and the readiness with which they can be sold. The other employments are also profitable. Punishment for disorderly conduct is whipping and solitary confinement, with

half allowance of bread and water. The institution has always drawn from the state treasury the salaries of all the officers except those of the principal keeper and matron of the female department, which are paid out of the profits of the house. The collective salaries of the other officers, amount at present to seven thousand two hundred dollars per annum. The average profits of the house the last three years, were about five thousand dollars; so that the institution could not have paid the salaries of its officers without drawing upon its active capital. However its present flourishing condition and flattering prospects, justify the belief, that it will in time, not only defray its own expenses, but produce a revenue to the state. The profits of the last year alone exceeded twelve thousand dollars. There are thirteen deputy keepers, of these, six act as guards during the day, three on the walls with loaded muskets, and three acting as turnkeys; six of the other deputies are heads of the different manufacturing departments, and one is employed as a messenger. Many cases of reimprisonment have occurred; but the fault is attributed to the incorrigible depravity of the criminals themselves, rather than to any defect in the system of punishment. It is admitted that their system is not perfect, and that solitary confinement is decidedly preferable. In so extensive a commingling of crimes of every grade, immoral associations must necessarily take place, and the combination in spite of every antidote, must tend rather to foster, than to extinguish the propensity to crime. The separate confinement of criminals at night is believed to be the only means of effecting a radical change or reformation. Three hundred and forty prisoners were in the penitentiary on the first day of December last.

I have thus presented to your view a condensed statement of the situation of six penitentiaries. I intended to have added an account of two or three

more of the New-England Penitentiaries, but the documents received from those institutions are at this moment mislaid. It may however be assumed as a certain fact, that their condition is as favorable as the best of those to which your attention has been called.

It seems that well regulated penitentiaries are capable of defraying all expenses to which they are incident; but if we were certain that an institution of this kind would be a charge upon our treasury for some years, it would form no reasonable objection to its establishment. For it ought to be borne in mind, that the state is now subject to a charge of from ten to fifteen thousand dollars annually for the confinement of criminals after conviction—a charge which would cease if we had a penitentiary.

WM. CARROLL.

EXECUTIVE OFFICE, Nov. 14, 1826.

On motion of MR. Camp,

Ordered, that five hundred copies of said message be printed for the use of the members of this house.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate have passed a resolution that a joint select committee be appointed to whom shall be referred, the several bills now before the legislature granting relief to purchasers of land in the Hiwassee district who have lost their lands by the interferance of Indian reservations, in which they ask the concurrence of this house.

And then he withdrew.

And the question being taken on agreeing to the said resolution.

It was determined in the negative.

Ordered, that the clerk acquaint the Senate therewith.

The house took up and proceeded to consider a

bill to amend the penal laws of this state and to establish a jail and penitentiary house therein.

Mr. Thompson made a motion to postpone the said bill indefinitely.

And after sometime spent in the consideration thereof.

And then the House adjourned.

WEDNESDAY, NOVEMBER 15, 1826.

Mr. Brabson presented a memorial of captain Thomas Jackson of the ounty of Campbell, praying the passage of a law exempting his company from attending regimental musters.

Ordered, that said memorial be referred to the committee on military affairs.

Mr. M'Farland presented a memorial of Thomas G. Watkins, praying the passage of a law divorcing him from his wife Susan, and

Mr. M'Alister presented a replication of Mrs. Susan G. Watkins in opposition to the prayor of the said Thomas G. Watkins.

Ordered, that said petition and replication and their accompanying documents lie on the table.

Mr. Douglass presented a petition of James M'Donald and Polly Cowan administrator and administratrix of the goods and chattles rights and credits of James Cowan deceased, praying the passage of a law authorizing them to sell real property belonging to said estate lying in the commonwealths of Kentucky and Virginia.

Ordered, that said petition be referred to a select committee consisting of mr. Douglass, Mr. Gibbs and mr. Hope.

Mr. Desha presented a petition of Isaac and Elizabeth Pierce praying for a dovorce.

Ordered, that said petition lie on the table.

Mr. Perkins presented a petition of John T. Ellis of the county of Williamson praying the passage of a law, discharging him the said John T. Ellis

from a criminal prosecution pending against him in the circuit court of said county.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Reneau from the committee of claims, to whom was referred a bill for the relief of Joseph Calloway, reported the same with an amendment, to wit: strike out in the 1st section the words set apart for the support of common schools, and insert the words the state of Tennessee.

And the question being taken on agreeing to said amendment.

It passed in the affirmative.

Mr. Reneau from the same committee to whom was referred a bill for the benefit of James Bradford, reported the same with an amendment, to wit: strike out the words one hundred and five, and insert twenty five.

And the question being taken on agreeing to said amendment.

It passed in the affirmative.

Mr. Reneau from the same committee reported a bill for the relief of William Young.

Which bill with the bills for the benefit of Joseph Galloway and James Bradford.

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Mr. Lytle from the committee on land claims reported a bill directing duplicates to issue in line of warrant no 385 for 960 acres.

Which bill was read the first time and passed.

Ordered, that the clerk do carrry the said bill to the Senate.

Mr. Lytle from the same committee, reported a resolution for the relief of William Armstrong's heirs.

A resolution for the benefit of Rufus Mitchell.

A resolution for the relief of the heirs of Joel Martin.

A resolution for the relief of Randolph Ross, and

A resolution providing for the issuance and adjudication of the grants and certificates therein specified.

The said resolutions were severally read at the clerks table.

And the question being taken on agreeing to said resolutions severally.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

On motion of mr. Fletcher,

Ordered, that the committee to whom was referred a bill to repeal an act entitled an act to provide for the sale of the lands which have been reserved for the use of common schools and apportion the monies equally amongst the several counties in this state, be discharged from the further consideration thereof, and that said bill lie on the table subject to the further order of the house.

Ordered, that Mr. Frazier have leave to withdraw for amendment, a bill for the relief of William P. Cobb and others.

The house resumed the consideration of a bill to amend the penal laws of this state, and to establish a jail and penitentiary house therein.

The motion made by mr. Thompson on yesterday to postpone the said bill indefinitely, being still pending.

And the question being taken thereon.

It was determined in the negative.

Yeas 18. Nays 20.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Brady,	Mr. Batson,
Brabson,	Buchanan,
Cheatham,	Camp,

Desha,
Dulaney,
Hardin,
Kelly,
Kincaid,
McAlister,
McFarland,
McIver,
Massengill,
Parsons,
Reneau,
Stuart,
Thompson,
Tipton. &
Tunnell—18.

Crisp,
Douglass,
Fletcher,
Fitzgerald,
Frazier,
Gibbs,
Hope,
Huling,
Lytle,
McClain,
Martin,
Moore,
Perkins,
Thomas,
Turney,
Williamson &
White—20.

The main question was then stated:
Shall the said bill be now read a second time.
It was determined in the affirmative.
Yeas 21, Nays 19.
The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are
Mr. Batson,
Balch,
Buchanan,
Camp,
Crisp,
Douglass,
Fletcher,
Fitzgerald,
Frazier,
Gibbs,
Hope,
Huling,
Lytle,
McClain,
Martin,

Those who voted in the negative, are
Mr. Speaker Brady,
Brabson,
Cheatham,
Desha,
Dulany,
Graham,
Hardin,
Kelly,
Kincaid,
M'Alister,
McFarland,
M'Iver,
Massengill,
Parsons,
Reneau,

Moore,
Perkins,
Thomas,
Turney,
Williamson and
White—21.

Stuart,
Thompson,
Tipton, and
Tunnell—19.

The said bill was then read a second time, and

Ordered, that the clerk do carry the said bill to the Senate.

Ordered, that mr. Tipton have leave to withdraw the petition and papers of James Houston of the county of Blount.

And then the house adjourned.

THURSDAY, NOVEMBER 16, 1826.

Mr. White presented a report of Spence Mitchell commissioner of the turnpike road leading from Sparta to Pikeville.

The said report was read at the clerks table, and ordered to be sent to the senate.

Mr. Batson presented a petition of sundry inhabitants of the county of Dixon praying amendments to the militia laws.

The said petition was read at the clerks table, and ordered to be sent to the senate.

Mr. Moore from the committee on internal improvements, made an unfavorable report upon the petition of Christian Morrell of the county of Hawkins, which was read.

Mr. Parsons made a motion to recommit the report to the committee on internal improvements, with additional documents in support of the prayor of the petitioner.

And the question being taken thereon.

It passed in the affirmative.

And so it was ordered, that said report and additional documents be recommitted to the committee on internal improvements.

Mr. Gibbs from the select committee to whom

was referred the petition of James M'Donald and Polly Cowan, reported that the committee had, had the said petition under consideration, and are of opinion that any law the general assembly could pass upon the subject of the petition, would be ineffectual in affording the petitioners relief, and that the committte ask, to be discharged from the further consideration of said pitition.

Ordered, that said select committee be discharged from the further consideration of the petition of James *M'*Donald and Polly Cowan.

Mr. Reneau, from the committee on claims, reported

A bill for the relief of Elizabeth Upton, and

A bill for the relief of William S. Blair,

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Reneau from the same committee made an unfavorable report upon the petition of James Hall, and

The resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioner ought not to be granted,

Mr. Fletcher from the select committee to whom was referred the memorial of Robert G. Kelsoe, reported

That the committee had made no examination into the evidence touching the allegations in said memorial because there is a provision contained in the 30th section of the act of 1819, chapter 1st, which gives to the circuit courts in which attorneys general may reside, who may fail in any of the duties prescribed in said act, the power to try such offenders by indictment.

And it moreover gives to the injured party the right to seek redress in the way of damages in the same courts.

The committee conceiving that an inquiry can be gone into in the courts at less expense to the community, and with much greater convenience to the parties concerned, and the witnesses who will have to attend on the examination,

And believing also, that the truth of the case can be more thoroughly elicited in a court of justice than in a legislative hall,

The committee ask to be discharged from the further consideration of said memorial.

And on the question,

Will the house concur in the report of said committee,

It was determined in the affirmative.

The question was then stated:

Will the house discharge the committee from the further consideration of said memorial?

And it was determined in the negative.

On motion of Mr. Perkins,

Resolved, that William Moore, Oran P. Moffatt, William Rucker, George Poindexter, William Carson, William G. Childress, Holland L. White, Fleming Casey and Wright Stanley be appointed justices of the peace for the county of Williamson,

Ordered: that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

Mr. Turney introduced

A resolution directing the commissioner of land claims to examine grant no. 16629 for 1000 acres in the name of John Smith T.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Desha introduced

A bill for the relief of Isaac Pierce.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A message from the senate by mr. Dance their clerk.

Mr. Speaker:

The senate took upon its third and last reading in both houses,

A bill to further provide for the occupants of the Western District and propose sundry amendments to said bill herewith transmitted.

And then he withdrew.

Whereupon,

The several amendments of the Senate to the said bill were read at the clerk's table.

And the question being taken on striking out the third section of the bill, for the purpose of inserting in lieu thereof the amendment proposed by the senate, and to be the third section of said bill.

It was determined in the affirmative,

Yeas 25, nays 14.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady	Mr. Buchanan,
Batson,	Cheatham,
Brabson,	Desha,
Camp,	Douglass,
Crisp,	Fletcher,
Dulany,	Hope,
Fitzgerald,	Huling,
Frazier,	Lytle,
Gibbs,	Martin,
Graham,	Moore,
Hardin,	Stuart,
Kelly,	Thomas
Kincaid,	Thompson, and
M'Alister,	Williamson—14
M'Farland,	
M'Clain,	
M'Iver,	
Massengill,	
Parsons,	

Perkins,
Reneau,
Tipton,
Tunnell,
Turney and
White—25.

The other amendments of the senate to said bill were severally concurred in by the house, except to strike out the words in the first section "on or before the first day of May 1826," and insert in lieu thereof the words "at the passage of this act."

With which last amendment the house non-concurred.

Ordered, that the clerk acquaint the senate therewith.

A message from the Senate, by mr. Dance, their clerk.

Mr. Speaker:

The senate have passed a resolution appointing William Redmon, John Hargis, George Akors and Littlebury White be appointed justices of the peace for the county of Carroll.

For the county of Knox John McMillan aud William Craighead.

The senate have also passed a resolution authorizing the proper owner to file with the commissioner of land claims, military land warrant no. 49, for 274 acres for adjudication as in other cases.

The senate concur in the resolution of this house referring military warrant no. 67 for adjudicstion.

And then he withdrew.

On motion of Mr. Frazier,

Ordered, that the resolution appointing justices of the peace for the couuty of Knox lie on the table.

Whereupon:

The question was stated,

Will the house agree to the remaining resolutions contained in the Senate's message?

It was determined in the affirmative.

Ordered, that the clerk acquaint the senate there-

with.

Mr. McIver introduced

A resolution appointing William C. Love, Joseph B. Dibrell, Augustin King and Benjamin Tyson justices of the peace for the county of Gibson.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Fletcher introduced a resolution directing grant no. 6715 to be referred to the commissioner for adjudicatron.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Dulaney introduced

A resolution directing entry 832 for 82 1-2 acres: grants 255, 257 and 259, and warrant no. 1220 be referred to the commissioner for adjudication.

Ordered, that said resolution be referred to the committee on land claims.

On motion of Mr. Camp,

Resolved, that a joint select committee be appointed consisting of four on part of this house and two on part of the senate, with instructions to examine the bank of the state of Tennessee, and inquire into the situation of said bank in relation to the state and condition of said bank and its ability to continue specie payments,

And that sasd committee report forthwith to the general assembly.

Ordered, that said committee consist of Mr. Camp, Fletcher, Parsons and Huling, on part this house.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Kincaid introduced

A resolution that each and every sheriff and collecter of the state and county taxes within this state, be directed and required not to receive in payment

of the state and county taxes, until the further order of this general assembly, any of the notes or bills issued by the Nashville Bank and made payable at said bank or either of the brabches thereof—nor the notes or bills issued by the state bank of Tennessee, payable at the principal bank at Knoxville or either of its branches, from and after the receipt by such sheriff or collector of a copy of this resolution.

Ordered, that said resolution lie on the table.

Mr. Reneau introduced

A resolution prohibiting the adjudication of land warrants, except as the general assembly may specially direct.

Ordered, that said resolution lie on the table.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senete have passed a resolution that our senators be instructed and our reprsentatives requested to continue their exertions in endeavoring to procure from the United States a relinquishment of their claims to the vacant and unappropriated land lying south and west of the congressional reservation line, agreeably to the prayer of the memorial addressed to the congress of the United States by the general assembly of Tennessee at its stated session of 1825.

Resolved, that the governor furnish each of our senators and representatives in congress with a copy of the foregoing resolution.

And then he withdrew.

And the question being taken on agreeing to the said resolution,

It was determined in the affirmative,

Ordered, that the clerk acquaint the senate therewith.

A bill to authorize the drawing of a lottery for the benefit of Samuel Hogg,

Was read the third time and last time

And the question being stated,

Shall the said bill pass?

It was determined in the affirmative.

Yeas 24, nays 15.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Camp,
Batson,	Crisp,
Balch,	Douglass,
Brabson	Huling,
Buchanan	McAlister,
Cheatham	McFarland,
Desha,	McClain,
Dulany,	Massengill,
Fletcher,	Parsons,
Fitzgerald,	Stuart
Frazier.	Thomas,
Gibbs,	Tunnell
Hardin,	Turney,
Hope,	Williamson and
Kelly,	White—15.
Kincaid,	
Lytle,	
McIver,	
Martin,	
Moore,	
Perkins,	
Roneau,	
Thompson, &	
Tipton, 24	

Ordered, that said bill be engrossed.

A message from the Senate by Mr. Dance their Clerk.

Mr. Speaker,

The Senate disagree to the day fixed upon by this house, beyond which no bills shall be introduced into either branch of the general assembly, and propose Wednesday the 22nd instant as the day to which the introduction of bills shall be limited.

In which they ask the concurrence of this house
And then he withdrew.
And the question being taken on agreeing to the day fixed on as aforesaid by the senate.
It was determined in the affirmative.
Ordered, that the clerk acquaint the senate therewith.
Mr. Frazier returned
A bill for the relief of William P. Cobb and others, with an amendment.
Which was read.
And the question being taken on agreeing thereto.
It passed in the affirmative.
The said bill was further amended
On motion of Mr. Dulaney,
Read the third time, passed and
Ordered to be sent to the senate
Mr. Kincaid introduced
A bill further prescribing the duty of registers.
Mr. Brabson introduced
A bill for the benefit of Andrew Crockett.
Mr. White introduced
A bill to establish a military company on Cumberland mountain in White county.
Mr. Turney introduced
A bill to authorize George and Stephen Reid to retail certain articles without license.
Mr. McIver introduced
A bill to incorporate the town of Trenton in the county of Gibson.
Mr. Douglass introduced
A bill requiring security to be given in suits by motion.
Mr. McFarland introduced
A bill for the relief of sheriffs, coroners and constables.
Mr. Fletcher introduced
A bill for the relief of the persons therein named.
Mr. McFarland introduced

A bill to divorce Thomas G. Watkins from his wife Susan.

Mr. Tunnell introduced

A bill to amend the 76th section of the militia laws.

Mr. Balch introduced

A bill directory to the judge holding the circuit court for the county of Greene.

Mr. Huling introduced

A bill to authorize judgments to be taken on bonds or notes given at the county agencies without powers of attorney.

Mr. Brabson introduced

A bill for the benefit of the sheriff of Claibourne county,

Mr. Hope introduced

A bill for the relief of those who have entered land north and east of the congressional reservation line at one cent per acre.

Mr. Parsons introduced

A bill to authorize the sheriff of Hawkins county to appoint two additional deputies.

Mr. Gibbs introduced

A bill for the relief of the Nashville bridge company.

Mr. Tipton introduced

A bill for the relief of John Montgomery of Blount county.

Mr. Desha introduced

A bill to repeal an act entitled an act to extend the town of Gallatin in the county of Sumner, and

Mr Lytle introduced

A bill to provide for the furnishing Scott's revisal to such clerks as have not obtained a copy thereof.

Which bills were severally read the first time & passed,

Ordered, that the clerk do carry the said bills to the senate.

Mr Douglass introduced

A resolution for the relief of William Fleming.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

A bill for the relief of Oliver Simpson

Was read the first time and passed.

A bill for the relief of David Nowlin

Was read a third time and passed,

Ordered, that the clerk do carry the said bills to the Senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The senate have passed a resolution to provide for the issuance and adjudication of the grants and certificates therein named.

In which they ask the concurrence of this houuse

*A*nd then he withdrew.

The said resolution was read,

*A*nd the question being taken on agreeing thereto,

It passed in the affirmative,

Ordered, that the clerk acquaint the Senate therewith.

Mr. McIver returned

A bill to incorporate the town of Sommerville in the county of Fayette, without amendment.

Whereupon:

The said bill was read the first time and passed

Mr. Stuart returned a bill to compel entry takers to pay over monies and for other purposes, without amendment.

Whereupon,

The said bill wrs read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Ordered, that *Mr.* Martin have leave to withdraw

for amendment,

A bill to regulate the county courts therein mentioned.

And then the house adjourned.

FRIDAY, NOVEMBER 17, 1826.

Mr. Tunnell presented the clerks return of Anderson county of captains companies and justices of the peace.

Ordered, that said return be referred to the committee on captains companies and justices of the peace.

Mr. Hope presented a petition of William C. M'Kamey and Robert H. M'Ewen, praying the passage of a law directing a tax paid by James M'Kamey for retailing merchandize, at Athens to be refunded.

Ordered, that said petition be referred to the committee of claims.

Mr. White presented the clerks return of White county, of captains companies and justices of the peace.

Ordered, that said return be referred to the committee of captains companies and justices of the peace.

Mr. Desha presented a petition of Elizabeth Wilson, praying a divorce from her husband Joseph P. Wilson.

Ordered, that said petition lie on the table.

Mr. Batson presented a petition of the heirs at law of George West dec'd. praying the passage of an act authorizing a sale of a part of the real estate of said George West.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Camp from the committee of propositions and grievances, reported a bill for the relief of Robert Officer and Thomas H. Fansher.

A bill for the relief of Marius Oury.

A bill for the benefit of Thomas M'Bath, and

A bill for the relief of William Hewett.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Camp from the same committee made an unfavorable report upon the petitions of John J. Ellis, Henry Beidleman, Jane Howard and the citizens of Franklin county, praying a stop law.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayers of the petitioners respectively ought not to be granted.

Mr Lytle from the committee on land claims, reported a resolution to provide for the adjudication of land claims therein specified.

The said resolution was read.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

Mr. Lytle from the same committee, to whom was referred a bill to explain and amend the 5th section o an act entitled an act for the recovery of certain monies passed August 22d 1822.

Reported, that the said bill ought not to pass.

And the question being taken on agreeing to the said report of the committee.

It was determined in the affirmative.

And so by operation of said order and vote of the house, the aforesaid bill was rejected.

Mr. Camp returned a bill concerning costs in criminal prosecutions, with an amendment which was read.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that mr. Thomas have leave to withdraw the said bill for amendment.

Mr. Buchanan introduced a bill to detray the ex-

pense of removing the public property and records from Murfreesboro to Nashville.

Ordered, that said bill be referred to the committee of claims.

Mr. Balch introduced

A bill to establish separate elections in the county of Greene, and

Mr. Thompson introduced

A bill to authorize James Street and Alexander Street to build a mill on Duck river in Bedford county.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Mr. Kelly returned

A bill to amend an act entitled an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, with an amendment.

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative, when

The said bill was read a second time, passed and

Ordered to be sent to the senate.

A bill to provide for the better regulation of the town of Dover in the county of Stewart,

A bill for the relief of securities in certain cases, and

A bill for the benefit of the minor heirs of John Peacock deceased,

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. McAlister introduced

A resolution appointing Joseph McLin, William Gilleland and John Malinee, justices of the peace for the county of Washington.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

The house took up and proceeded to consider

A bill to repeal a part of the second section of an act entitled an act supplemental to an act to amend an act to condense and bring into one view the revenue laws of this state, and to amend the same passed Nov. 22, 1817.

Mr. Turney made a motion to amend the said bill by striking out the whole of the original bill from the enacting clause, and inserting in lieu thereof the words following:

That so much of the second section of an act passed on the 22nd day of November 1817, entitled an act supplemental to an act to amend an act to condense and bring into one view the revenue laws of this state, and to amend the same passed at Nashville the 17th day of November 1815, as relates or may be construed to relate to a branch bank or office of discount and deposit of the bank of the United States, which may be located or established in the state of Tennessee, be and the same is hereby repealed.

The said amendment was read at the clerk's table.

And debate arising on the policy and expediency of the said bill and amendment.

The house adjourned.

SATURDAY, NOVEMBER 18, 1826.

Mr. Douglass presented

A petition of Moses Fisk praying further time to open a turnpike road in the county of Overton.

Ordered, that said petition lie on the table.

Mr. Douglass presented

A petition of Joseph Murfree praying the passage

of a law authorizing him to retail liquors and merchandize without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Buchanan presented

A petition of Reuben A. Ross, praying a grant for three thousand acres of land for the encouragement of iron works.

Ordered, that said petition be referred to the committee of land claims.

Mr. Thomas presented

A petition of Reuben A. Carter, praying the passage of a law authorizing him to retail spirits without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Hardin presented

A petition of Henry S. Wilson, praying the passage of a law authorizing him to hawk and peddle without license.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Fletcher from the committee for enrolled bills, reported

An enrolled bill entitled an act to authorize the drawing of a lottery for the benefit of Samuel Hogg, to be truly enrolled.

The speaker signed the said bill,

Ordered, that the clerk do carry the said enrolled bill to the senate.

Mr. Camp, from the committee of propositions & grievances, made an unfavorable report upon the petitions of Reuben A. Carter, Houson Keener and the citizens of Bledsoe county, praying the passage of a law releasing John Holman from the remainder of his imprisonment.

Mr. Turney made a motion to reverse the report of the committee on the petition of the citizens of Bledsoe county in behalf of John Holman.

And the question being taken thereon,

It passed in the negative,

Whereupon,

The resolution contained in the report of the committee was concurred in by the house as follows, to wit:

Resolved, that the prayers of the petitioners respectively ought not to be granted.

Mr. Camp from the same committee reported

A bill for the relief of Pollard Wisdom and others.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

On motion of mr. Fletcher,

Ordered, that mr. Balch be added to the committee on land claims.

The house resumed the consideration of the unfinished business of yesterday, to wit:

A bill to repeal a a part of the second section of an act entitled an act supplemental to an act to amend an act to condense and bring into one view the revenue laws of this state and to amend the same, passed November 22nd, 1817, and the amendment offered by Mr. Turney to said bill, which appears upon the journal of yesterday the 17th inst.

And the question being taken on agreeing to said amendment,

It passed in the affirmative.

Yeas 28, nays 12.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Balch,
Batson,	Desha,
Brabson,	Graham,
Buchanan,	Kelly,
Camp,	Kincaid,
Cheatham,	Moore,
Crisp,	Parsons,
Douglass,	Thomas,

Dulany,
Fletcher,
Fitzgerald,
Frazier,
Gibbs,
Hardin,
Hope,
Huling,
Lytle,
M'Alister,
McFarland,
McClain,
M'Iver,
Martin,
Massengill,
Perkins,
Reneau,
Stuart,
Turney, &
White—28.

The question was then stated:

Shall the said bill pass a second time?

And it was determined in the affirmative.

Yeas 24, nays 14.

The yeas and nays being required by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker. Brady,	Mr. Balch,
Batson,	Desha,
Brabson,	Fitzgerald,
Buchanan,	Frazier,
Camp,	Graham,
Cheatham,	Kelly,
Crisp,	Kincaid,
Douglass,	Moore,
Dulaney,	Parsons,
Fletcher,	Thomas,
Gibbs,	Thompson.
Hardin,	Tipton,

Hope,
Huling,
Lytle,
McAlister,
McClain,
McIver,
Martin,
Massengill,
Reneau,
Stuart,
Turney, &
White—24.

Tunnell and Williamson—14.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Balch introduced

A bill to revive an act passed August 23, 1822 entitled an act for the relief of Valantine and Charles Sevier.

Mr. Kelly introduced

A bill for the relief of Spencer Beavers of McMinn county.

Mr. Lytle introduced

A bill for the relief of Richard G. Harris.

Mr. Balch introduced

A bill to authorize Samuel Allen to erect a mill on Nolichucky river.

Mr. Batson introduced

A bill to enlarge the provisions of an act entitled an act to authorize the drawing of lotteries in the counties of Dixon and Montgomery.

Mr. McIver introduced

A bill to compel the securities of Thos. A. Thompson late sheriff of Carroll county to pay over certain monies.

Mr Thompson introduced

A bill for the relief of Robert Gullet.

Mr. Parsons introduced

A bill for the relief of James P. Taylor.

Mr. Tunnell introduced

A bill for the relief of Charles McCormick.

Mr. Desha introduced

A bill to divorce Elizabeth Wilson from her husband Wilson.

Mr. McIver introduced

A bill for the relief of John Pritchett and for other purposes.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A message from the senate by mr. Dance their clerk.

Mr. Speaker:

The senate concur in the resolution of this house, for the relief of william Armstrong's heirs, Rufus mitchell and Randolph Ross—also in the resolution of this house providing for the issuance and adjudication of the grants and certificates therein specified, except so much of said resolution as authorizes a certificate to issue to Richard Fenner, in which the senate nonconcur.

The senate concur in the resolution of this house appointing a joint select committee to examine the bank of the state of Tennessee.

The senate have passed a resolution providing for the adjhdication of the grants and certificates therein mentioned, in which they ask the concurrence of the senate.

And then he withdrew.

And the question being taken on agreeing to the said resolution of the senate.

It was determined in the affirmative.

Ordered that the clerk acquaint the senate therewith.

A bill directory to the entry taker of the Hiwassee District,

A bill for the relief of J. Pavat of Humphreys co.

And, a bill authorizing the building of a new jail for Lincoln county.

Were severally read a third time and last time passed, and

Ordered, to be engrossed.

A bill concerning the Winchester light infantry company, and

A bill authorizing the drawing of a lottery to build a masonic hall in Knoxville.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Mr. Gibbs introduced a bill for the relief of Christopher Brooks.

Ordered, that said bill be referred to the committee of claims.

Mr. Buchanan introduced a bill to compensate James Rogers for certain services.

Ordered, that said bill be referred to the committee of claims.

A bill to regulate elections for field officers in the counties therein mentioned.

Was read a third time, amended on motion of mr. Hardin and passed.

Ordered, that the clerk do carrry the said bill to the Senate.

A bill for the benefit of James Bradford of Jefferson county.

Was read a second time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

Mr. Fletcher introduced a resolution for the relief of James Read.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Thomas introduced a resolution directing the treasurers of this state to administer oaths to the collectors of public monies, in certain cases.

On moiion of mr. Huling,

Ordered, that said resolution lie on the table until Monday.

A message from the senate by Mr. Dance their clerk;

Mr. Speaker,

The senate have passed a resolution for the benefit of William Fleming, William M'Cormaek & Henry Rowan, in which they ask the concurrence of this house.

And then he withdrew.

The said resolution was read,

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Huling introduced a resolution for the relief of Charles Hutchinson and others.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Massengill introduced a resolution to revise and continue in force a part of a resolution passed November 18 1825, entitled a resolution requiring certain claims to be adjudicated, which was read.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

Mr. Tunnell introduced a resolution appointing John Loy, John Gibbs, John M. Samarr, Samuel Dame and George Harkins, justices of the peace for Anderson county, and Henry M. Carr for the county of Jackson.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Fitzgerald introduced a resolution appointing Goodlow Warren, William Porter and Robert L. Brown justices of the peace for the county of Henry.

And the question being taken on agreeing thereto, It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Buchanan introduced a resolution for the relief of Thomas Hopkins.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Graham introduced a resolution directing the commissioner of land claims to adjudicate grants 4613, 7435 and 9001.

Ordered, that said resolution be referred to the committee of land claims.

Mr. Desha introduced a resolution directing the registers of East and West Tennessee, to issue certificates for any ballance of warrants, that may remain in either of said officers unappropriated by grant or entry, to the per-on or persons entitled thereto; and such certificates for ballances aforesaid the commissioner is authorized to adjudicate, and when adjudicated may be laid south and west of the congressional line.

Ordered, that said resolution be referred to the committee on land claims.

Mr. M'Far and introduced a bill for the relief of John Whalin and others.

Ordered, that said bill be referred to the committee of claims.

Mr. Lytle introduced a resolution for the relief of Daniel Ross and others.

Ordered, that said resolution be referred to the committee on land claims.

Ordered, that mr. Gibbs have leave to withdraw for amendment, a bill to incorporate the subscribers to the Union Insurance Company of Tennessee.

Ordered, that mr. Moore have leave to withdraw for amendment, a bill concerning mill dams which have been unlawfully built across Elk river.

Ordered, that mr. Fleicher have leave to withdraw

for amendment, a bill for the benefit of Early Benson and George Bowers and for other purposes.

And then the House adjourned.

MONDAY, NOVEMBER 20th, 1826.

Mr. M'Alister presented a petition of sundry inhabitants of Washington county, praying an appropriation of money to open a road from Jonesboro to North Carolina.

Ordered, that said petition be referred to the committee of internal improvements.

Mr. Parsons presented the resignation of D. Alexander notary public for the county of Hawkins, the said resignation was read and accepted.

Mr. Parsons presented the clerk's return of captains companies and justices of the peace in the county of Hawkins.

Ordered, that said return lie on the table.

Mr. Balch presented a petition of George T. Gallespie praying the passage of a law authorizing the commissioners of the town of Greenville to convey him two parcels of land in said town.

Ordered, that said petition be referred to the committee on land claims.

Mr. M'Farland presented an explanatory paper from Thomas G. *W*atkins in answer to the replication of mrs. Susan *W*. Watkins, to the original petition of the said Thomas G. *W*atkins.

Ordered that said paper be filed wit the documents accompanying the bill to divorce homas G. *W*atkins from his wife Susan *W*. *W*atkins

Mr. Tipton presented a petition of John *M*'Croskey praying additional compensation for collecting interest on executions, upon the Hiwassee lands.

Ordered, that said petition be referred to the committee of claims.

Mr. Hope presented a petition of erryman M'Ghee, praying the opinion of the general assem ly on the validity of an entry made by the petitioner

on a quarter section of land in the Hiwassee District.

Ordered, that said petition be referred to the committee on the judiciary.

Mr. Hope presented a petition of Abner Deatheridge praying the passage of a law releasing him from the payment of a part of his public debt.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Turney presented a petition of Eliza White, praying a divorce from her husband William White.

Ordered, that said petition lie on the table.

Mr. M'Clain presented a petition of sundry inhabitants of the county of Smith praying the passage of a law authorizing Tighlman Bethel to retail merchandize without license.

Ordered, that said petition lie on the table.

Mr. M'Iver presented the clerk's return of captains companies and justices of the peace in the county of Haywood.

Ordered, that said return be referred to the committee on captains companies and justices of the peace.

Mr. Huling from the committee for enrolled bills reported,

An act directory to the entry taker of the Hiwassee district.

An act for the relief of John Pavatt of Humphreys county.

An act authorizing the building of a new jail in and for the county of Lincoln, and

A resolution to provide for the issuance and adjudication of the certificates and grants therein specified, truly enrolled.

The speaker signed the said bills and resolutions.

Ordered, that the clerk do carry the said bills and resolution to the senate.

Mr. Moore from the committee on internal improvements made an unfavorable report upon the petition of sundry inhabitants of this state praying a

change in the turnpike road across Waldens ridge, and a petition of sundry inhabitants of Franklin county praying the privilege of erecting a mill on Rattle snake creek, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayers of the petitioners respectively, ought not to be granted.

Mr. Camp from the committee of propositions and grievances reported, a bill for the relief of William R. Davis.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

On motion of Mr. Camp,

Ordered, that Allen A. Hall esq be authorized to occupy a seat within the bar of the house, to collect minutes of its proceedings for the use of the Nashville Republican.

Mr. Balch introduced a bill for the benefit of Samuel M'Kamey.

Mr. Frazier introduced a bill to provide for the payment of the officers and others attending the trial of brigadier general James Bradford.

Mr. Turney introduced a bill to divorce Eliza White from her husband William Waite, and

Mr. Stuart introduced a bill making an appropriation of money to defray the expenses of the 2d session of the 16th general assembly.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Moore returned a bill concerning mill dams unlawfully built across Elk river, with an amendment, which was read.

And the question being taken on agreeing thereto.

It passed in the affirmative; when

The said bill was read a second time as amended and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Fletcher returned a bill for the benefit of Early Benson and George Bowers, without amendment, when the said bill was read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate,

Mr. Gibbs returned a bill to incorporate the subscribers to the Union Insurance Company of Tennessee without amendment; when

Mr. Balch made a motion to amend the said bill by adding thereto, the following as an additional section, to wit:

Be it enacted, that the property both real and personal of the President, Directors and Stockholders of said insurance company shall be liable and acconntable for the full amount of all the property insured;

*W*hich was read at the clerks table.

*A*nd the question being taken on agreeing thereto.

It passed in the affirmative.

Yeas 20, Nays 15.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Brabson,
Batson,	Camp,
Balch,	Dulany,
Crisp,	Fletcher,
Desha,	Gibbs,
Douglass,	Hope,
Frazier,	Huling,
Graham,	Kincaid,
Mclver,	Lytle,
Martin,	M'Alister,
Massengill,	McFarland,
Moore,	McClain,
Perkins,	Parsons,

Thomas,
Thompson,
Tipton,
Tunnell,
Turney
Williamson and
White—20.

Reneau, and
Stuart,—15.

On motion of Mr. Gibbs,

Ordered, that said bill lie on the tabe until Monday next.

Mr. Thomas returned a bill concerning costs in criminal prosecutions, without amendment, when the said bill was amended on motion of Mr. Fletcher, and read a second time.

Mr Gibbs made a motion to postpone the said bill indefinitely,

And the question being taken thereon,

It passed in the affirmative.

Yeas 21. Nays 17.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Buchanan,
Batson,	Camp,
Bath,	Crisp,
Brabson,	Desha,
Cheatham,	Douglass,
Dulany,	Fletcher,
Fitzgerald,	Harden,
Gibbs,	Hope,
Graham,	Kincaid,
Huling,	M'Farland,
Lytle,	M'Iver,
M'Alister,	Moore,
M'Clain,	Thompson,
Martin,	Tipton,
Massengill,	Tunnell,
Parsons,	Turney and
Perkins,	White—17

Reneau,
Stuart,
Thomas, and
Williamson–21.

And so the said bill was indefinitely postponed and by operation of a rule of the house it was rejected.

A message from the senate by mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled, an act to authorize the clerks of the county and circuit courts of Morgan county, to keep their offices at their own houses.

An act for the relief of Jonathan Bauchman.

An act for the relief of Joshua Hadley.

An act to legalize the official acts of John Hannah.

An act to repeal the laws now in force respecting cotton gins.

An act to amend an act, entitled an act, for the relief of the heirs of Elisha Purdam deceased.

An act to cause cases now pending in the circuit court of Marion county for lands lying in Franklin county, to be transferred to the Franklin circuit court.

A resolution referring grants therein mentioned.

A resolution instructing our senators and representatives in congress to perform certain duties.

A resolution for the adjudication of land warrants.

A resolution referring military land warrant No 49, and

A resolution appointing justices of the peace for the county of Carroll.

The senate concur in the resolution of this house appointing justices of the peace for the counties of Williamson, Washington and Gibson, except William C. Love for the county of Gibson, in which the senate nonconcur.

The senate concur in the resolutionof this house to provide for the adjudication of the grants and certificates therein specified.

The senate have passed a resolution referring grant 285 to the commissioner for adjudication; also a resolution appointing justices of the peace for the county of Warren, in which they ask the concurrence of this house.

I am directed to deliver to this house a report from the President and Directors of the Nashville Bank, containing a detailed account of the condition of said bank.

And then he withdrew; when

The speaker signed the several enrolled bills and resolutions delivered by the clerk of the senate, after which,

The question was taken on agreeing to the several resolutions contained in the senates message.

And determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

On motion of mr. Huling,

Ordered, that 600 copies of the report of the President and Directors of the Nashville Bank be printed for the use of the members of this house.

A message in writing was then received from the Governor of Tennessee, by mr. Daniel Graham secretary of state, who delivered in the same at the speakers table, and withdrew.

The said message was read and is as follows:

Fellow-Citizens of the Senate, and of the House of Representatives,

In carrying into effect the resolution of the general assembly, at their session of 1824; directing the Governor to make suitable arrangements for the reception of General Lafayette, I was obliged in consequence of low waters in Cumberland river, to employ a small steamboat to receive the Genera at Smithland, to bring him to this place and convey him hence to Louisville Kentucky, on settling with

the captain of the boat then was due to him eleven hundred and fifty dollars. I paid him one thousand dollars, and drew a draft in his favor on the Lafayette state committee of Kentucky for the balance, not doubting but that it would be promptly paid, particularly as it had been customary for each state to pay all expenses of the general whilst travelling in its territory. The draft however was not paid as will be seen by papers herewith laid before you; on being notified of its nonpayment I advised the captain to present his claim to the legislature of Kentucky, which he did but was not successful, as will be seen by reference to his letter and the statement of William P. Thompson. The state of Kentucky having failed to pay the draft and there being justly due captain Hall one hundred and fifty dollars, under the contract made with him by the authority of Tennessee the propriety of authorizing the payment of that sum to him, is respectfully submitted to your consideration; there are also two or three small claims for Lafayette expenses, which do not amount to more than fifty dollars, that were not presented before the last session of the general assembly the payment of which is recommended to your attention.

WM. CARROLL.

EXECUTIVE OFFICE,
Nashville, Nov. 20. 1826.

Ordered, that the clerk do carry the said message to the senate.

Whereupon:

Mr. Huling introduced a bill to authorize the payment of certain expenses incurred by the visit of General Lafayette to the state of Tennessee.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. M'Iver introduced a bill for the relief of certain commissioners for the county of Madison.

Mr. M'Alister introduced a bill to authorize the

county courts to appoint persons to settle with executors, administrators and guardians.

Mr. Frazier introduced a bill to amend the laws, relative to working on public roads.

Mr. Balch introduced a bill for the relief of Sena Grubb.

Mr. Turney introduced a bill to establish the lines between the counties of White, Bledsoe and Rhea.

Mr. Moore introduced a bill to authorize Michael Reed and Franklin Whitaker to build a mill and cotton gin on Cubb creek.

Mr. Graham introduced a bill to diminish costs in suits.

Mr. Frazier introduced a bill for the benefit of jailors.

Mr. Douglass introduced a bill for the benfit of Ephraim Maxwell.

Mr. Desha introduced a bill for the relief of Francis Moore.

Mr. Cheatham introduced a bill to authorize the drawing of a lottery for the benefit of Richard Jones Jun'r.

Mr. Hardin introduced a bill concerning the public buildings in the county of Tipton,

Mr. Frazier introduced a bill concerning bastardy

Mr. Hardin introduced a bill to incorporate the town of Covington in the county of Tipton, and

Mr Douglass introduced a bill authorizing Moses Fisk to open a turnpike road.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Buchanan introduced a bill to define the duty of clerks and other officers, which was read.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill to authorize the judges of the supreme court to certify bills of costs in certain cases, was taken up by the house.

And the question recurring on the amendment heretofore offered by mr. Huling in lieu of the amendment offered by mr. Gibbs.

And being taken:

It passed in the affirmative; when

The said bill was read a third time as amended and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to make good grants issued for land west of Brown's line.

A bill authorizing the building of a jail in Montgomery county.

A bill for the benefit of Saban B. Williams of Sullivan county, and

A bill to authorize the county court of Gibson to lay a tax and for other purposes,

Were severally read a second time and passed.

A bill to repeal an act entitled an act to revise an act for the benefit of certain reservees,

Was read a third time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill for the relief of James Littleton, was read a second time and passed.

A bill for the relief of Alfred H. Douglass, was read a third time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill to amend an act entitled an act to establish the bank of the state of Tennessee, was read a second time,

Mr. Gibbs made a motion to postpone the said bill indefinitely.

And the question being taken thereon,

It passed in the affirmative.

Yeas 21, nays 16.

The yeas and nays being demanded by the constitutional number of members

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Brabson,	Mr. Speaker Brady
Buchanan,	Batson,
Camp,	Balch,
Cheatham,	Crisp,
Desha,	Fitzgerald,
Douglass,	Frazier,
Dulany,	Graham,
Fletcher,	Hardin,
Gibbs,	Hope,
Huling,	M'Farland,
Lytle,	M'Iver,
M'Alister,	Parsons,
M'Clain,	Tipton,
Martin,	Tunnell,
Massengill,	Turney and
Moore,	Williamson—16.
Perkins,	
Reneau,	
Stuart,	
Thomas	
Thompson, and	
White—21.	

And so the said bill was laid on the table indefinitely, and by operation of a rule of the house rejected.

Mr. Huling returned a bill to authorize limited partnerships, without amendment.

Mr. Camp made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

Mr. Fletcher introduced a resolution appointing Thomas Powell, Isaac J. Miller Silas Reed sen'r.

and Samuel Jones justices of the peace for the county of Rutherford.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Balch introduced

A resolution appointing John Allison, Peter Cobble, Andrew McPheren, John Harden, Andrew Roberts, Robert Maloney, Christian Dike, Henry Gobry, Robert Evans and Thomas Murphy justices of the peace for the county of Greene.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate, and ask their concurrence therein.

Mr. McIver introduced

A resolution appointing John M. Johnson a justice of the peace for the county of Madison.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. McLain introduced

A resolution appointing Alfred A. Brevard, Ethelred Warren, junior, and John Tabb justices of the peace for the county of Smith.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Thomas introduced

A resolution directing grant no. 16248 to be referred to the commissioner for adjudication.

Ordered, that said resolution be referred to the committee on land claims.

Ordered, that Mr. Hope have leave to withdraw for amendment,

A bill to establish the tenth judicial circuit and for other purposes.

And then the house adjourned.

TUESDAY, NOVEMBER 21, 1826.

Mr. Parsons presented

A petition o sundry inhabitants of the counties of Hawkins and Claib rne, praying the establishment of a new county to be taken from the aforesaid counties of Hawkins and Claiborne.

Ordered, that said petition be referred to the committee on new counties.

Mr. Kelly presented

A petition of sundry citizens of Hamilton county, praying the appointment of commissioners to establish the seat of justice in said county.

Ordered, that said petition be referred to the committee on seats of justice.

Mr. Desha prsented

The resignation of John P. Hagan a justice of the peace for Sumner county,

Which was read and accepted.

Mr. Lytle presented

A petition of Margaret Mulherrin praying the passage of a law authorizing her to remove an entry made by her husband previous to his decease.

Ordered, that said petition be refered to the committee of land claims.

Mr. Martin presented

A memorial of the cavalry officers of Williamson county, praying amendments to the militia laws.

Ordered, that said petition he on the table.

Mr. Fitzgerald presented

The resignation of Julian Frazier a justice of the peace for the county of Knox.

Which was read and accepted.

Mr. Fletcher from the committee for enrolled bills, reported

A resolution directing the commissioner of land claims to adjudicate the grants and certificates therein specified truly enrolled.

The speaker signed the said resolution.

Ordered, that the clerk do carry the said enrolled resolution to the senate.

Mr Balch introduced

A bill to alter the time of holding the Rutherford circuit court

Mr. Huling introduced

A bill to incorporate the inhabitants of the town of Dresden.

Mr. Parsons introduced

A bill to divorce Elizabeth Reynolds from her husband Hiram Reynolds.

Mr. Buchanan introduced

A bill to amend the laws in relation to the payment of costs in prosecutions for misdemeanor.

Mr. Stuart introduced

A bill authorizing William Forbean to continue to raise or extend his mill dam.

Mr. Turney introduced

A bill to authorize John Brown and Robert Burke to open and keep in repair a turnpike road.

Mr. Gibbs introduced

A bill to amend an act entitled an act to incorporate the inhabitants of the town of Nashville.

Mr. Dulaney introduced

A bill for the benefit of the corporations of Blountsville and Kingsport.

Mr. Frazier introduced

A bill regulating the duties of notaries public in giving notices.

Which bills were severally read the first time & passed,

Ordered, that the clerk do carry the said bills to the Senate.

Mr, Douglass introduced

A resolution for the relief of Richard C. Harriss.

Ordered, that said resolution be referred to the committee of land claims.

Mr, mclver introduced

A bill regulating the time of holding the courts in the county of Henderson,

Ordered, that said bill lie on the table until to morrow.

The house took up

A bill to alter the time of holding the county courts of Williamson county, and

On motion of Mr. Gibbs,

Ordered, that said bill lie on the table until to morrow.

Ordered, that Mr. martin have leave to withdraw for amendment

A bill to establish annual musters in the regiment of cavalry attached to the fourth brigade.

A bill for the benefit of the sheriff of Claiborne county,

Was read a second time and passed.

A bill to authorize Jesse Lincoln to open a turnpike road,

Was read the first time and passed.

A bill to authorize James Rogers to open a turnpike road,

Was read a third time and passed,

Ordered, that the clerk do carry the said bills to the senate.

The house took up

A bill for the relief of purchasers or the assignees of purchasers of the land contained in the reservation of John Hildeybrand in the Hiwassee District.

Mr, Gibbs made a motion to lay the said bill on the table indefinitely:

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of this house was rejected.

A bill to amend the judiciary system of this state,
Was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The senate have passed a resolution that a joint select committee composed of four members on part of the senate and eight on part of the house of representatives, be appointed to confer and ascertain what arrangement can be made with the directors of the Nashville Bank for securing the ultimate redemption of the notes held by the state on said bank, and such as may hereafter come into the treasury under the provisions of law,

And that said committee make a report to this general assembly-

In which they ask the concurrence of this house.

And then he withdrew.

The house proceeded to consider the resolution contained in the senate's message,

And the question being taken on agreeing thereto,

It passed in the affirmative.

And mr. Massengill, mr. Crisp, mr. Fletcher, mr. Desha, mr. Huling, mr. Turney. Mr. Tipton, mr. Parsons and Mr. Lytle were appointed the said committee.

Ordered, that the clerk acquaint the Senate therewith.

A message from the senate by Mr. Dance their clerk.

Mr. Speaker:

The speaker of the senate did this day sign enrolled bills, entitled an act for the relief of William P. Cobb and others owning fish traps and dams or Holston river in the counties of Knox and Grainger, and an act to further provide for the occupants of

the Western District and west of the reservation line.

And then he withdrew; when

The speaker signed the said bills.

Ordered, that the clerk deposit the said enrolled bills in the office of the secretary of state.

Mr. Tipton introduced

A bill for the relief of those citizens in the Hiwassee district who are sued by Indian reservees.

Mr. McClain introduced

A bill to repeal an act entitled an act for the relief of the owners of lots in the town of Alexandria.

Mr. Gibbs introduced

A bill for the relief of the devisees of Walter Sims deceased.

Mr. Camp introduced

A bill authorizing the granting of administration in certain cases, and the probate of instruments of writing in the recess of court.

Mr. Fitzgerald introduced

A bill to legalize the proceedings of William Terrell justice of the peace for Obion county.

Mr. Buchanan introduced

A bill for the relief of Thomas Ely.

Mr. Thompson introduced

A bill to legitimatize Eliza Gray.

Mr. Buchanan introduced

A bill to compel plaintiffs to give defendants their proper credits.

Mr. White introduced

A bill concerning appeals, and

Mr. Frazier introduced

A bill so much of an act entitled an act to regulate proceedings in criminal cases and for other purposes, so far as respects the jurisdiction of justices of the peace.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of William Young
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the affirmative,
Yeas 22, nays 18.

The yeas and nays being required by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Brady,
Balch,
Brabson,
Buchanan,
Cheatham,
Dulaney,
Fletcher,
Fitzgerald,
Frazier,
Hardin,
Kelly,
Lytle,
McFarland,
McIver,
Martin,
Moore,
Parsons,
Reneau,
Stuart,
Thomas,
Tipton, &
Turney—22

Those who voted in the negative are,

Mr. Batson,
Camp,
Crisp,
Desha,
Douglass,
Gibbs,
Graham,
Hope,
Huling,
Kincaid,
McAlister,
McClain,
Massengill,
Perkins,
Thompson,
Tunnell
Williamson and
White—18

Ordered, that the clerk do carry the said bill to the senate.

A bill to divorce Thomas G. Watkins from his wife Susan *W.* Watkins,
Was read a second time and amended
On motion of Mr. M. Farland, and
Ordered, that Mr. McAlister have leave to withdraw the said bill for amendment.

Ordered that *Mr. Hope* have leave to withdraw for amendment

A bill to incorporate the Hiwassee Canal Company.

Ordered, that Mr. Kincaid have leave to withdraw for amendment

A bill for the relief of Elijah Hembree.

A bill to authorize the treasurer of East Tennessee to receive certain monies,

A bill for the relief of Jesse Galloway. and

A bill to authorize the drawing of a lottery for the Shelbyville Dixon academy,

Were severally read a third time and passed.

A bill for the benefit of Elizabeth and Isaac Pierce

Was read a second time and passed.

A bill to legalize the official acts of the justices of the peace therein named,

A bill to alter the names and make legitimate the persons therein named and

A bill to make it lawful for householders to view and mark roads.

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of Elizabeth Upton

Was read a second time, when

Mr. Gibbs mad a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

A bill for the relief of *William* S. Blair

Was read a second time, when

Mr. Gibbs made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

Ordered, that Mr. Cheatham have leave to withdraw for amendment

A bill to repeal part of an act relating to the navigation of Duck river.

A bill for the relief of Sampson Black and others

Wss read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative

And so the said bill was rejected,

Mr. Fitzgerald introduced

A resolution for the benefit of Nazareth Bird.

Which was read.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Fletcher introduced

A preamble and resolution directing our senators and requesting our representatives in congress to use their best exertions to effect an extension of the judicial system of the United States to all the states in the union.

Which were read at the clerk's table.

And the question being taken on agreeing thereto,

It passed unanimously in the affirmative.

Ordered, that the clerk do carry the said preamble and resolution to the senate and ask their concurrence therein.

Mr. Brabson introduced

A resolution for the benefit of Elisha Wallen's heirs.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Fitzgerald introduced

A resolution directing grant no. 3155 to be referred to the commissioner for adjudication.

Ordered, that said resolution be referred to the commissioner for adjudication.

Ordered, that said resolution be referred to the committee on land claims.

Mr. Lytle introduced

A resolution directing military warrants 921, 750, 741 and 738 to be referred to the commissioner for adjudication.

Ordered, that said resolution be referred to the committte of land claims.

And then the house adjourned.

WEDNESDAY, NOVEMBER 22, 1826.

Mr. Balch presented a petition of the Trustees of the Greenville female academy praying an act of incorporation and a donation of money from the state.

Ordered, that said petition be referred to the committee on education.

Mr. Massengill presented a memorial of Ethelred Williams praying the passage of a law directing the commissioner of land claims to issue him duplicate certificates upon land warrants which have been lost or mislaid.

Ordered, that said memorial be referred to the committee of land claims.

Mr. Fletcher presented a petition of George Wilson praying the passage of a law directing the treasurer of west Tennessee to pay him for 30 copies of the acts and journals of the session of '18 and for which the petitioner has not been heretofore paid.

Ordered, that said petition be referred to the committee of claims.

Mr. Martin presented a petition of Philip Maury praying the passage of a law directing the trustees of Franklin academy to make him further compensation.

Ordered, that said petition be referred to the committee of claims.

Mr. Martin presented a petition of Elizabeth Hammond praying a divorce from her husband.

Ordered, that said petition lie on the table.

Mr. Batson presented a petition of the owners of Iron *W*orks in the county of Dixon praying an exemption of the hands employed in said works from the performance of military duties.

Ordered, that said petition be referred to the committee on military affairs,

Mr. Lytle from the committee on land claims reported a resolution to provide for the grants and certificates therein specified.

*W*hich was read,

*A*nd the question being taken on agreeing thereto.

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

*M*r. Lytle from the same committee reported a bill for the relief of Robert L. Cobbs and others.

*W*hich bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

*M*r. Douglass from the committee on new counties, reported a bill to authorize a survey to be made of the counties of Greene, Washington, Sullivan and Hawkins.

*W*hich bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Douglass from the same committee made an unfavorable report upon the petition of the inhabitants of Hamilton county praying a removal of the courts of said county from the place, at which they are now held.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayor of the petitioners ought not to be granted.

Mr. Douglass from the same committee made a favouable re- ort upon the petition of the inhabitants of Overton county praying a resurvey of said coun-

ty, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayor of the petitioners ought to be granted.

Mr. Martin introduced a bill for the relief of Philip Maury.

Ordered, that said bill be referred to the committee of claims.

Mr. Fitzgerald introduced a bill to prescribe the time of holding the courts in the counties therein named.

Ordered that said bill lie on the table.

Mr. M'Iver introduced a bill to authorize the drawing of a lottery in the county of Henderson.

Mr Reneau introduced a bill to ascertain at what age a man becomes a bachelor and to increase the revenue of the state.

Mr. Parsons introduced a bill to divorce Rebecca Vandeventer from her husband John Vandeventer.

A bill to appropriate a sum of money to open a road in Hawkins county, and

A bill to provide more effectually for distributing and publishing the laws of the state.

Mr. Hope introduced a bill for the relief of Charles Miles.

Mr. Crisp introduced a bill concerning a well to be dug in the town of Lawrenceburg.

Mr. Thompson introduced a bill to authorize the drawing of a lottery to enable the persons therein named to make salt in Bedford county.

Mr. Thomas introduced a bill prescribing the duties of trustees and clerks.

Mr. Stuart introduced a bill to appoint a commissioner for the town of Newport.

Mr. Brabson introduced a bill to authorize George Sharp and others to build a fish trap in Powel's river

Mr. Huling introduced a bill regulating fees upon lands sold for taxes.

Mr. Reneau introduced a bill to amend an act en-

titled an act to settle the claims of North Carolina and for the benefit of the occupants of the western district.

Mr. Martin introduced a bill for the benefit of Lea.

Mr. M'Farland introduced a bill to establish the town of Russellville in the county of Jefferson, and

A bill to alter and establish the lines between the counties of Jefferson and Knox.

Mr. Balch introduced a bill authorizing the justices of the peace for the county of Greene to class themselves.

Mr Gibbs introduced a bill to regulate the duty of jailors and to ameliorate the condition of prisoners.

Mr. Crisp introduced a bill providing further time for making surveys and returning plats and certificates.

Mr. Kelly introduced a bill for the relief of the persons therein named.

Mr. Martin introduced a bill for the benefit of John P. Dix, and

A bill for the benefit of Elizabeth Hammond.

Mr. M'Iver introduced a bill to prescribe the duty of the commissioners appointed to receive and report lists of taxable property south and west of the congressional line.

Mr. Parsons introduced a bill to authorize assignments of entries in certain cases.

Mr. Tunnell introduced a bill providing for the payment of justices of the peace.

Mr. Balch introduced a bill for the relief of the heirs of John Weems.

Mr. Massengill introduced a bill supplemental to an act entitled an act to authorize Charles Gamble, Crespin E. Shelton and John Witt to open a turnpike road.

Mr. White introduced a bill to repeal part of an act authorizing Reuben Ross to build a bridge across cany fork.

Mr. Brabson introduced a bill for the relief of Anthony H. Montgomery.

Mr. Hope introduced a bill to subject to execution all lands in the Hiwassee district.

And, a bill to authorize the raising of a rifle company in the 40th and 95th regiments of Tennessee Militia.

Which bills were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Parsons introduced a bill for the relief of Edward Sizemon.

Ordered, that said bill be referred to the committee of propositions and grievances.

Mr. Huling introduced a bill relating to common school lands.

Ordered, that said bill lie on the table.

Mr. Parsons introduced a bill for the relief of William Young.

Ordered, that said bill be referred to the committee of claims.

Mr. Douglass introduced a bill for the benefit of suiters at law.

Ordered, that said bill lie on the table.

Mr. Douglass introduced a bill appointing a commissioner for a turnpike road therein named.

Ordered, that said bill lie on the table.

Mr. Frazier introduced a bill to revive an authorizing the redemption of slaves.

Ordered, that said bill lie on the table.

Mr. Hope introduced a bill to amend the militia laws of this state.

Ordered, that said bill be referred to the committee on military affairs.

The speaker laid before the house a bill to amend the penal laws of this state.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills, entitled an act to authorize the judges of the supreme court to certify bills of cost in certain cases.

An act to authorize James Rogers to open a turnpike road, also, a resolution referring grant 285 and a resolution appointing justices of the peace for Warren county.

The senate concur in the resolution of this house to revive and continue in force a part of a resolution passed November 18, 1825 entitled a resolution requiring certain claims to be adjudicated.

The senate concur in the resolution of this house appointing justices of the peace for the counties of Anderson and Jackson.

The senate nonconcur with the resolution of this house appointing William Porter a justice of the peace for Henry county, because the said William Porter has already been appointed to said office.

The senate have passed a resolution appointing Jonathan Davis, Thomas M'Cray, Benjamin Parker, Joseph M. Spadden, Peter Ragan, Thomas F. M. Calloway, George D. Edgar, Samuel Blackburn, Edward B. Watkins, John Robertson, George Henderson, John Henderson Sen'r. Squire S. Glenn, Joseph Marshall and Matthew M. Young justices of the peace for the county of Monroe, William Melier, Josiah Patty, Samuel Thompson and James Wilson justices of the peace for the county of Blount.

Elisha Herron a justice of the peace for the county of Humphreys, and

John Cox a justice of the peace for the county of Jefferson, in which they ask the concurrence of this house.

And then he withdrew; when

The speaker signed the several enrolled bills and resolutions mentioned in the senate's message.

Ordered, that the clerk deposit the said enrolled bills and resolutions in the office of the secretary of state.

Whereupon:

The house proceeded to consider the resolution in the senate's message appointing justices of the peace for the counties of Monroe, Blount, Humphreys and Jefferson.

Mr. *M'*Farland made a motion to disagree to so much of said resolution as appoints John Cox a justice of the peace for the county of Jefferson.

And the question being taken thereon,

It passed in the affirmative.

The question was then stated:

Will the house agree to so much of the said resolution of the senate as appoints justices of the peace for the counties of Monroe, Blount and Humphreys.

And it was determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Mr. Turney introduced

A bill to exempt from taxation the land lying north and east of the congressional reservation line, and north of the Tennessee river, entered under the one cent law.

Which bill was read.

Mr. Camp made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

Yeas 19. Nays 17.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady,
Brabson,	Buchanan,
Camp,	Fletcher,
Cheatham,	Fitzg rald,
Crisp,	Frazier,

Dulany,
Gibbs,
Huling,
Kincaid,
M'Clain,
Martin,
Parsons,
Perkins,
Reneau,
Stuart,
Thomas,
Thompson,
Tipton, and
Williamson—19.

Graham,
Harden,
Hope,
Kelly,
Lytle,
M'Alister,
M'Iver,
Massengill,
Moore,
Tunnell,
Turney and
White—17

And so the said bill by operation of a rule of the house was rejected.

A bill for the relief of Jane Reynolds of Shelby county,

Was read the first time and passed.

A bill to provide for the better regulation of the town of Dover, in the county of Stewart

Was read a second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

On motion of Mr. Frazier,

The house took up the senate's resolution appointing justices of the peace for the county of Knox.

Mr. Frazier made a motion to disagree with so much of said resolution as appoints William Craighead a justice of the peace for said county.

And the question being taken thereon,

It passed in the affirmative.

The question was then stated:

Will the house agree to so much of said resolution as appoints John M'Millan a justice of the peace for said county.

And it was determined in the affirmative.

Ordered that the clerk acquaint the senate therewith.

Whereupon:

Mr, Frazier introduced

A resolution appointing William Lyon, George Graves and Edward R. Davis justices of the peace for the county of Knox.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. McAlister returned

A bill for the relief of Thomas G. Watkins. with an amendment

Which was read;

And the question being taken on agreeing thereto,

It passed in the affirmative; when

The said bill was read a second time as amended and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Thomas returned

A bill to continue in force the provisions of an act passed at the last session of the general assembly, with amendments.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

When the said bill was read a second time as amended, and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to encourage the building of mills in the Western District,

Was read and amended

On motion of Mr. Crisp, &

Ordered that said bill lie on the table until to morrow.

Mr. Huling, returned

A bill for the relief of Elijah Embree, with an amendment,

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative.

And the said bill being on its third and last reading in both houses,

Ordered that the clerk request the concurrence of the senate in said amendment,

Mr. Williamson introduced

A bill to repeal an act entitled an act concerning champerty and maintenance.

Which was read the first time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

Mr. Thomas introduced

A resolution for the relief of Peter R. Beverly and others.

Ordered that said resolution be referred to the committee on land claims.

Mr. Camp introduced

A resolution directing warrants 126 & 136 and grant 156 to be referred for adjudication.

Ordered that said resolution be referred to the committee of land claims.

On motion of Mr. Martin

Ordered that a bill supplemental to the 112th section of the militia law passed in the year 1825, be referred to the committee on military affairs.

Mr. Desha introduced

A resolution appointing Robert Patton and *William* M. Carter justices of the peace for the county of Sumner.

*W*hich was read.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Kelly introduced

A resolution providing for a loan of money to Samuel *Mc*Connell by the branch of the bank of the state of Tennessee.

Ordered, that said resolution lie on the table until to morrow.

Mr. Douglass introduced

A resolution directing grant 3841 to be referred to the commissioner for adjudication

Ordered, that said resolution be referred to the committee of land claims.

Mr. McIver introduced

A resolution for the relief of George M. Purtle.

*W*hich was read

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Thomas incroduced

A resolution for the relief of David Gillaspie.

Ordered, that said resolution be referred to the committee of land claims.

And then the house adjourned.

THURSDAY, NOVEMBER 23, 1826.

The speaker laid before the house a memorial of Uriah Allison, praying the passage of a law directing the treasury department to refund monies paid the memorialist for lands in the Hiwassee District.

*W*hich was read at the clerk's table.

Ordered that the clerk do carry the said memorial to the senate.

Mr. Brabson presented

A petition of Lucy Musgraves, praying the passage

of a law divorcing her from her husband Wilson Musgraves.

Ordered, that said petition be referred to the committee on ivor es.

A message in writing was received from the governor of Tennessee, by Mr. Daniel Graham secretary of state. who delivered the same at the speaker's table and withdrew.

Th said message was read at the clerk's table & is as follows:

Fellow citizens of the senate and of the house of representatives:

I herewith lay before you the joint report of the commissioners of Alabama and those of Tennessee, in relation to removing the obstructions to navigation occasioned by the Muscle Shoals in Tennessee river.

The report is so voluminous, that I will not at this late period of the session trouble you with any remark upon it.

WM. CARROLL.

Executive Office,
Nashville, Nov. 22, 1826.

The joint report of the commissioners of Alabama and Tennesse was then also read at the rlerk's table, and

Ordered, that the clerk do carry the said message and report to the senate.

The house took up

A bill to repeal part of the second section of an act supplemental to an act to amend an act to condense and bring into one view the revenue laws of the state and to amend the same, passed Nov. 22nd, 1817.

Mr. Gibbs made a motion to amend the said bill by striking out the proviso added thereto by the senate.

And the question being taken thereon,

It was determined in the affirmative.

Yeas 31, nays 5.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Brady,	Mr. Grahm,
Batson,	Kelly,
Brabson,	Moore,
Buchanan,	Thompson &
Camp.	Tunnell—5,
Cheatham,	
Desha,	
Douglass,	
Dulaney,	
Fletcher,	
Gibbs	
Harden,	
Hope,	
Huling	
Kincaid,	
Lytle,	
McAlister,	
McFarland	
McClain	
McIver,	
Martin,	
Massengill,	
Parsons,	
Perkins,	
Reneau	
Stuart,	
Thomas,	
Tipton,	
Turney,	
Williamson and	
White—31.	

The said bill was then read a third time as amended and passed.

Ordered, that the clerk do carry the said bill to the senate.

A message from the senate by mr. Dance their clerk:

Mr. Speaker:

The senate concur in the resolution of this house for the relief of George M. Pruttle and Nazareth Bird, appointing Robert Patton and William M. Carter justices of the peace for Sumner county, and appointing justices of the peace for the counties of Rutherford, Greene, Madison and Smith.

The senate concur in the amendments proposed by this house to the bill for the relief of Elijah Embree.

The senate have passed a resolution directing entry 15972 made in the 1st surveyors district to be referred to the commissioner for adjudication, also a resolution referring grant 844, 1769 and 168, also, grant 20677 for 50 acres to Isaac Staleup also,

A resolution appointing Rezin Byrn, Williamson Williams, James Michie, George F. M'Wherter, James B. Taylor, Wilson T. Waters and William Willis justices of the peace for the county of Wilson, in which several resolutions the senate request the concurrence of the house of representatives.

And then he withdrew,

The house proceeded to consider the several resolutions contained in the senate's message.

And the question being severally taken on agreeing to said resolutions.

It was determined in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

A bill for the relief of Elijah Embree.

Was then read the third time and last time as amended, passed, and ordered, to be engrossed.

A bill authorizing the drawing of a lottery for the benefit of Cumberland College,

Was read a third time and last time, passed and ordered to be engrossed.

A bill for the relief of Joel H. Dyer's executor, was read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate,

A bill to repeal an act entitled an act to provide for the sale of the lands, which have been reserved for the use of common schools & apportion the monies equally amongst the several counties in this state, passed December 6, 1825,

Was read the first time.

Mr. Thomas made a motion to lay the said bill on the table indefinitly.

And the question being taken thereon,

It was determined in the affirmative.

Yeas 21, nays 18.

The yeas and nay's being demanded by the constitutional number of members

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady
Balch,	Brabson,
Camp,	Buchanan,
Cheatham,	Douglass,
Crisp,	Fletcher,
Desha,	Gibbs,
Dulany,	Hope,
Frazier,	Kelly,
Graham,	Kincaid,
Hardin,	Lytle,
Huling,	M'Clain,
M'Alister,	Moore,
M'Farland,	Parsons,
M'Iver,	Perkins,
Martin,	Reneau,
Massengill,	Thompson,
Stuart,	Tipton, and
Thomas	Turney—18.
Tunnell,	
Williamson and	
White—21.	

And so the said bill by operation of a rule of the house was rejected.

Mr. Hope returned bills to incorporate the Hiwassee canal company, and to establish the 10th judicial circuit without amendment.

Ordered, that said bills lie on the table.

And then the house adjourned.

FRIDAY, NOVEMBER 24, 1826.

Mr. Parsons presented a petition of Frederic A. Ross praying the passage of a law preventing persons from crossing his bridge across the north fork in a faster gait than a walk.

Ordered, that said petition be referred to the committee of internal improvements.

Mr. Thompson presented two petitions from sundry inhabitants of the county of Bedford, praying the passage of a law suspending the collection of debts by execution.

The said petitions were read and ordered to lie on the table.

Mr. Lytle from the committee of land claims reported a resolution to provide for the adjudication and issuance of the grants and certificates therein named.

Which was read.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Fletcher from the committee for enrolled bills reported an act to authorize a lottery for the benefit of Cumberland College.

A resolution appointing justices of the peace for the counties of Sumner, Rutherford, Greene, Madison and Smith.

A resolution for the relief of Nazereth Bird and George M. Pugh, and

A resolution to revive and continue in force a part of a resolution, passed November 18, 1825 entitled

a resolution requiring certain claims to be adjudicated, truly enrolled.

The speaker signed the bill and resolutions.

Ordered that the clerk do carry the said enrolled bill and resolutions to the senate.

Mr. Camp introduced

A resolution directing military warrant No 1098 to be referred to the commissioner for adjudication.

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Massengill introduced

A resolution for the relief of David Smith.

Which was read,

And the question being taken on agreeing to said resolution,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Batson introduced

A resolution appointing Joseph Kimble, William Shelby, James Nesbitt and William C. Samson justices of the peace for the county of Dixon.

Mr. M'Iver a resolution appointing Abner Taylor and John Dudley justices of the peace for the county of Carroll.

Henry Hendricks and Samuel Snoddy justices of the peace for the county of Henderson.

John Mays and Benjamin Young justices of the peace for the county of Madison.

William Tyrrell and Nathaniel Benton justices of the peace for the county of Dyer.

Mr. Brabson a resolution appointing Joshua H. Chapman, Zachariah Hodges, Joseph Langham, Elias Harrison and Harvie Ritchie justices of the peace for the county of Claiborne.

Mr. Dulaney a resolution appointing Joseph Eve-

rit, John S. Gaines, Jesse Cross and Abraham M'Clellard justices of the piece foc the county of Sullivan,

Which resolutions were severally read.

And the question being taken on agreeing to said resolutions.

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

A bill for the relief of James P. Taylor, was read a second time.

Mr. Huling made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passsed in the negative.

Yeas 19, Nays 19.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady,
Balch,	Buchanan,
Brabson,	Camp,
Crisp,	Cheotham,
Desha,	Dulany,
Douglass,	Fletcher,
Gibbs,	Frazier,
Graham,	Kincaid,
Hardin,	Lytle,
Huling,	M'Alister,
Kelly,	McFarland,
McIver,	McClain,
Mazengill,	Martin,
Perkins,	Moore,
Thompson,	Parsons,
Tunnell,	Reneau,
Turney,	Stuart,
Williamson and	Thomas, and
White—19.	Tipton—19.

Mr. M'Clain made a motion to fill the blank in the bill with the words fifty dollars.

And the question being taken thereon,
It passed in the negative.

Mr. Crisp made a motion to fill the said blank with the words twenty five dollars.

And the question being taken thereon,
It passed in the affirmative.

The question was then stated:
Shall the said bill pass?
And determined in the negative.
Yeas 15, Nays 23.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Batson,
Brabson,	Balch,
Buchanan,	Douglass,
Camp,	Dulany,
Cheatham,	Fletcher,
Crisp,	Frazier,
Desha,	Gibbs,
Kincaid,	Graham,
*M'*Alister,	Hardin,
*Mc*Farland,	Huling,
*Mc*Clain,	Kelly,
Moore,	Lytle,
Reneau,	*M'*Iver,
Stuart, &	*Martin*,
Thomas—15.	Massengill,
	Parsons,
	Perkins,
	Thompson,
	Tipton.
	Tunnell,
	Turney,
	Williamson &
	White—23.

And so the said bill was rejected.

A bill to amend the laws respecting Cumberland College,

Was read a third time.

Mr. Fletcher made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the negative.

Yeas 15, Nays 21.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Balch,	Mr. Speaker Brady,
Dulany,	Batson,
Fletcher,	Brabson,
Graham,	Camp,
Harden,	Cheatham,
Kincaid,	Crisp,
M'Alister,	Desha,
M'Farland,	Douglass,
M'Iver,	Fitzgerald,
Massengill,	Frazier,
Parsons,	Gibbs,
Reneau,	Huling,
Stuart,	Kelly,
Tipton, and	Lytle,
Tunnell--15.	McClain,
	Moore,
	Perkins,
	Thompson,
	Turney,
	Williamson &
	White—21.

Mr. Fletcher made a motion to amend the said bill by striking out the word university in the first section, and inserting the word college in lieu thereof.

And the question being taken thereon,

It passed in the negative.

Yeas 18, Nays 20.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Balch,	Mr. Speaker Brady,
Brabson	Batson,
Dulany,	Buchanan
Fletcher,	Camp,
Frazier,	Cheatham,
Graham,	Crisp,
Hardin,	Desha,
Kelly,	Douglass,
Kincaid,	Filzgerald,
McFarland,	Gibbs,
McIver,	Huling,
Martin,	Lytle,
Massengill,	McAlister,
Parsons,	McClain,
Reneau,	Moore,
Stuart,	Perkins,
Tipton, &	Thompson,
Tunnell—18.	Turney,
	Williamson and
	White—20.

Mr. Frazier made a motion to amend the said bill by striking out the word Tennessee in the first section and insert the word Nashville.

And the question being taken thereon,

It passed in the affirmative.

Mr. Crisp made a motion to amend the said bill by adding after the word Nashville in Mr. Fraziers amendment the words, in the state of Tennessee.

And the question being taken thereon,

It passed in the affirmative.

Ordered, that the clerk request the concurrence of the senate in said amendments,

A bill authorizing the drawing of a lottery for the improvement of the navigation of Forked deer river

A bill for the relief of James Littleton.

A bill for the relief of citizens of Sevier county residing between Bays mountin and Holston river.

A bill supplemental to an act to authorize Samuel

Terry, Peter Hoodenpyl and William Rainey to open a turnpike road, and

A bill for the relief of Thomas G. *Watkins*,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills and resolutions, entitled an act for the benefit of Thomas Powers and others.

An act for the benefit of Jesse Galloway of Roane county.

An act to regulate elections for field officers in the county of Dixon and other counties.

A resolution referring entry 15972.

A resolution appointing justices of the peace for the counties of Blount and Monroe.

A resolution appointing justices of the peace for *Wilson* county, and

A resolution appointing justices of the peace for Humphreys county.

The senate have passed a resolution directing that the public printers be required to print the general laws of the present session in their respective newspapers.

A resolution appointing Simon Pope, Seabourn Jewel and John W. Wilson justices of the peace for the county of Greene, and

A resolution providing for the election of a solicitor general for the 16th district on to-morrow at 10 o'clock in the representative hall, in which resolutions the senate request the concurrence of this house.

And then he withdrew; when

The speaker signed the several enrolled bills and resolutions mentioned in the senate's message, and

Ordered, that the clerk do deposit the said enroll-

ed bills and resolutions in the office of the secretary of state.

Whereupon:

The house proceeded to consider the resolution in the senate's message directing the general laws to be printed in the public newspapers,

And the question being taken thereon,

It passed in the negative.

The house proceeded to consider the resolution in the senate's message for the election of a solicitor general of the 16th district.

And the question taken thereon,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

On motion of Mr. Balch,

Ordered, that the resolution contained in the senate's message appointing justices of the peace for the county of Greene, lie upon the table.

Mr. Fletcher introduced

A resolution providing that the senate meet the house of representatives on to-morrow for the purpose of electing an entry taker for the county of Franklin.

Mr. Kelly made a motion to amend the resolution by adding thereto the words and a surveyor for the county of Hamilton.

And the question being taken thereon,

It passed in the affirmative.

The question was then stated:

Will the house agree to the said resolution as amended.

And it was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A bill to authorize a new survey to be made of the counties of Greene, Washington, Sullivan and Hawkins.

Was read a second time.

Mr. M'Alister made a motion to lay the said bill on the table indefinitely,

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

A bill for the relief of Joseph Calloway.

A bill authorizing the treasurer of west Tennessee to pay John Haywood and Robert L. Cobbs $500 each.

A bill for the relief of Francis Moore.

A bill vesting particular powers in the county court of Monroe county.

A bill directing duplicates to issue in lieu of warrant 385 for 960 acres:

A bill for the relief of Charles Miles,

A bill to establish a 3d battallion in the 9th regiment of militia.

A bill for the relief of Elizabeth Wheles, and

A bill to regulate the courts of Maury, Willimson and other counties,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to provide for the better regulation of the town of Dover in the county Stewart, and

A bill to continue in force the provisions of an act passed at the last session of the general assembly.

Were severally read the third time and last time passed and ordered to be engrossed.

Ordered. that Mr. Huling have leave to withdraw for amendment,

A bill to repeal an act entitled an act to make sale of the lands reserved for the use of common schools passed December 6, 1825.

A message from the senate by Mr. Dance their clerk.

Mr. Speaker:

The senate have passed a resolution for the re-

lief of John Jenkins, in which they ask the concurrence of this house.

And then he withwrew; when

The house proceeded to consider the said resolution and the same being read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

A bill to encourage the building of mills in the western district,

Was read the third time, amended on motion of mr. M'Iver, and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Martin returned

A bill to establish annual musters in the regiment of cavalry attached to the 4th brigade, with an amendment,

Which was read.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that Mr. M'Farland have leave to withdraw the said bill for amendment.

A bill for the benefit of the principal surveyor of the 10th district.

Was read a second time,

And sundry motions being made to fill the blank in said bill, the house finally agreed to the sum of thirty dollars, as compensation to said surveyor, when

Mr. M'Iver made a motion to amend the bill by adding thereto, a section providing compensation to the surveyor of the 9th district.

And the question being taken thereon,

It passed in the affirmative.

And sundry motions being made to fill the blank in said amendment, and the house not agreeing to any sum.

Mr. M'Iver made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

Yeas 20 Nays 19.

The yeas and nays being required by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Brabson,	Mr. Speaker Brady,
Buchanan,	Batson,
Douglass,	Balch,
Fletcher,	Camp,
Graham,	Cheatham,
Hardin,	Crisp,
Hope,	Desha,
McAlister,	Dulaney,
McClain,	Fitzgerald,
McIver,	Frazier,
Martin,	Gibbs,
Massengill,	Huling,
Perkins,	Kelly,
Reneau,	Kincaid,
Stuart,	Lytle,
Thompson,	McFarland,
Tunnell,	Parsons,
Turney,	Thomas, &
Williamson and	Tipton—19.
White—20.	

And so the said bill by operation of a rule of the house was rejected.

And then the house adjourned.

SATURDAY, NOVEMBER 25th, 1826.

Mr. Williamson presented

A petition of sundry inhabitants of the county of Wilson, praying the passage of a law authorizing a new company out of the seventeenth and forty second regiments.

Ordered that said petition be referred to the committee on military affairs.

Mr. Crisp presented

The resignation of William Fitzgerald, the representative from the counties of Stewart, Henry, Weakley and Obion, of his seat in this house.

Which was read and accepted.

Mr. Douglass from the committee on county lines, reported

A bill authorizing a resurvey of Overton county.

Which bill was read the first time and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Fletcher from the committee for enrolled bills reported

An act for the better regulation of the town of Dover,

A resolution providing for the issuance and adjudication of the grants and certificates therein specified, and

A resolution appointing justices of the peace for the counties of Anderson, Jackson, Henry, Williamson aad Gibson, truly enrolled.

The speaker signed the said bills and resolutions.

Ordered that the clerk do carry the said enrolled bills and resolutions to the senate.

Mr. Huling, from the same committee, reported

An act directing the collection of academy monies loaned by the treasurer, truly enrolled.

The speaker signed the said bill,

Ordered that the clerk do carry the said bill to the senate.

A bill to incorporate the Bolivar academy in the county of Hardeman,

A bill for the relief of William Gann,

A bill for the relief of William Philips late sheriff of Hickman county,

A bill for the relief of Patrick Weighher.

A bill for the relief of Rachael Houston of Robertson county,

A bill to appoint additional trustees for East Tennessee college.

A bill for the relief of Wilson Cage, &

A bill for the relief of the persons therein named,

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled

An act to authorize the treasurer of East Tennessee to receive certain monies,

An act to repeal an act entitled

An act to revive an act for the benefit of certain reservees passed August 22nd, 1822.

An act for the relief of David Nowlin,

An act for the relief of Alfred H. Douglass and

An act to authorize the drawing of a lottery for the benefit of the Shelbyville Dixon academy in the county of Bedford.

The senate concur in the resolution of this house, to go into the elections of an entry taker for Franklin county and a surveyor for the county of Hamilton on this day,

The senate have taken up on its third and last reading in both houses

A bill to compel entry takers to pay over monies and for other purposes, and propose amending the same by striking out the whole of the original bill from its title, and inserting in lieu thereof the amendment herewith transmitted marked A. Also

A bill for the relief of Joel H. Dyer's executor, and propose amending the same by adding thereto, a proviso that nothing in said act contained shall be so construed as to exonerate the present securities of

the said Robert H. Dyer from their liability upon their bond. Also

A bill to repeal part of the second section of an act entitled

An act supplemental to an act to condense and bring into one view the revenue laws of this state and to amend the same, passed Nov. 22, 1817,

And propose amending the same by inserting the words 'and no further' after the word 'Tennessee' near the end of the bill.

In which amendments to the said several bills, the senate request the concurrence of the house of representatives.

And then he withdrew.

When the speaker signed the several bills mentioned in the senate's message.

Ordered, that the clerk deposit the said enrolled bills in the office of the secretary of state.

The house took up the senate's message,

And proceeded to consider the senate's amendmendment to

The bill for the relief of Joel H. Dyer's executor.

And the question being taken on agreeing thereto,

It passed in the negative,

Ordered, that the clerk acquaint the Senate therewith.

The house proceeded to consider

The senate's amendment to the bill to repeal part of the second section of an act entitled

An act supplemental to an act to condense and bring into one view the revenue laws of this state & to amend the same, passed Nov. 22nd, 1817.

And the question being taken on agreeing thereto.

It was determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

On motion of Mr. Gibbs,

Ordered; that the bill to compel entry takers to pay over monies and for other purposes,

And the senate's amendment thereto,

Lie on the table.

Mr. Cheatham returned

A bill to repeal part of an act relating to the navigation of Red River with amendments.

Which were severally read and agreed to by the house.

When the said bill was read a second time, as amended and passed.

Ordered, that the clerk do carry the said bill to the senate.

The house took up

A bill to incorporate the Hiwassee canal Company,

And after a short time spent in the consideration thereof,

On motion of Mr. Gibbs,

Ordered that said bill lie on the table until Monday next.

Mr. Parsons introduced

A resolution directing grant no. 783 to be referred to the commissioner for adjudication.

Which was read,

And the question being taken on agreeing thereto,

It was determined in the affirmative,

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

Mr. Thompson made

A motion to suspend the 16th rule of this house and that the house do recondsider the vote taken on yesterday upon the bill for the relief of the surveyor of the tenth district.

And the question being taken thereon,

It passed in the affirmative.

And so the said vote was reconsidered, and

Ordered that said bill lie on the table.

A bill to amend an act to incorporate the town of Knoxville;

A bill for the relief of John Rayburn late sheriff of Wayne county;

A bill to prevent nuisances on water courses;

A bill for the relief of Nancy W. Carver;

A bill to authorize Matthew English to open a turnpike road;

A bill for the relief of Richard Belcher;

A bill for the relief of Samuel McConnell, and

A bill for the relief of James Walker.

Were severally read the first time and passed.

Ordered that the clerk do carry the said bills to the senate.

The hour having arrived at which the two houses were to assemble for the purpose of electing a solicitor general of the sixteenth district, an entry taker for Franklin county and a surveyor for the county of Hamilton.

Ordered, that the clerk inform the senate that this house is now ready to receive them for that purpose.

Immediately after which, the speaker & the members of the senate assembled in this house.

And on the first ballot William Fitzgerald esquire, of the county of Stewart, was elected solicitor general of the sixteenth district; Wyly B. Wagnor entry taker for Franklin county, and Samuel R. Russell surveyor for the county of Hamilton.

After which, the speaker and members of the senate withdrew.

Mr. Fletcher from the committee for enrolled bills reported

An act to continue in force the provisions of an act passed at the last session of the general assembly truly enrolled.

The speaker signed the said bill.

Ordered that the clerk do carry the said enrolled bill to the senate.

A bill to establish annual musters in the regiment of cavalry attached to the fourth regiment,

Was read a second time, amended

On motion of Mr. Thomas,

And passed.

Ordered that the clerk do carry the said bill to the senate.

A bill to repeal part of a law passed in 1817 and for other purposes,

Was read the first time, amended

On motion of Mr. Balch,

And passed.

Ordered that the clerk do carry the said bill to the senate.

A message from the senate by mr. Dance their clerk:

Mr. Speaker:

The speaker of the senate did this day sign an enrolled bill entitled an act for the relief of Thomas G. Watkins.

The senate concur in the resolution of this house referring military warrant no. 1098.

The resolution for the relief of David Smith, and the resolution providing for the issuance and adjudication of the grants and certificates therein mentioned.

The senate concur in the resolution of this house appointing justices of the peace for the counties of Claiborne, Dixon, Carroll, Henderson, Madison, Dyer and Sullivan, except in the appointment of John S. Gaines and Jesse Cross for the county of Sullivan, to which the senate disagree.

The senate have passed a resolution that the sheriff of Giles county may, by and with the consent of the justice who issued the warrant, and the person on whose application and information the same was issued, surrender to the proper person the negroes now in his possession, the sale of which was postponed by a former resolution of this session, on such person paying the costs heretofore accrued in the

proceedings against said slaves, and giving the necessary releases of all causes of action for their detention

In which they ask the concurrence of this house.

And then he withdrew, when

The speaker signed the enrolled bill mentioned in the senate's message.

Ordered that the clerk do deposit the said bill in the office of the secretary of state.

Mr. Dulaney made a motion,

That the house do insist upon the appointment of John S. Gaines and Jesse Cross, justices of the peace for the county of Sullivan.

And the question being taken thereon,

It passed in the affirmative.

Ordered that the clerk acquaint the senate therewith and again ask their concurrence therein.

The house proceeded to consider the senate's resolution concerning the negroes taken and detained by the sheriff of Giles county.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

A bill for the relief of George S. Jarrett

Was read the first time,

And the question being atated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 19. nays 15.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Buchanan,
Batson,	Camp,
Balch,	Douglass,
Brabson,	Gibbs,
Cheatham,	Huling,

Crisp,
Desha,
Dulany,
Fletcher,
Frazier,
Graham,
Harden,
Hope,
McFarland,
M'Iver,
Moore,
Reneau,
Thompson, and
Tipton—19.

Kelly,
M'Clain,
Martin,
Parsons,
Stuart,
Thomas,
Tunnell,
Turney
Williamson and
White—15

Ordered that the clerk do carry the said bill to the senate,

A bill for the benefit of the sheriff of Claiborne county and

A bill for the benefit of Jesse Mayfield of McMinn county,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Ordered that Mr. Reneau have leave to withdraw for amendment,

A bill for the relief of the clerks of the county & circuit courts of Washington county.

Ordered that Mr. Balch have leave to withdraw for amendment,

A bill for the relief of clerks and solicitors.

Ordered that Mr. Gibbs have leave to withdraw for amendment,

A bill to authorize Charles I. Love to open a turnpike road.

Mr. Lytle introduced

A resolution for the relief of John Peyton & others.

Which was read;

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Ordered that Mr. Hope have leave to withdraw for amendment,

A bill for the relief of the citizens of the Hiwassee district who are sued by Indian reservees.

A bill to repeal all laws now in force in the state concerning indian reservations, and

A bill for the relief of John H. Bills,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

Ordered that Mr. Balch have leave to withdraw for amendment,

A bill supplemental to an act entitled an act requiring the clerks, trustees and other officers to perform certain duties,

A bill for the relief of the heirs of Alexander Kirkpatrick,

Was read the first time:

And the question being stated:

Shall the said bill pass?

It was determined in the negative,

And so the said bill was rejected.

Ordered that Mr. Hope have leave to withdraw for amendmsnt,

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee & Tennessee & north of little Tennessee river.

And then the House adjourned.

MONDAY, NOVEMBER 27th, 1826.

The speaker laid before the house a report from the treasurer of East Tennessee, in obedience to a resolution of this house of the ninth instant, as follows:

Principal of academy monies, $12191,78¼

Interest, 7230,28¾
Principal and Interest, 19422,07
On hand and deposited in the branch of the bank of the atate of Tennessee for West Tennessee academies.
Received from occupants since the session of 1823, $16594, 25¾.
On hand and deposited in the said branch bank E. Tennessee academy money, $23085,33¾
Paid to treasurers of East Tennessee academies of interest, 3480,85.
On loan of principal of East Tennessee academy money $5299, 37.

The academy money has been divided agreeably to the law of 1817, giving to West Tennessee academies 23 of 42 equal parts, and to East Tennessee 19 of 42 equal parts.

Ordered that said report and its accompanying explanatory exhibits lie on the table.

Mr. McAlister presented

A report from the commissioners appointed to examine the route for a road from Washington county to N. Carolina, and a petition of sundry inhabitauts of Washing on county praying an appropriation of money to open the said road.

Ordered that said report and petition be referred to the committee on internal improvements.

Mr. M. Farland presented

A petition of Isaac Horner, guardian of the heirs of William Johnson praying the passage of a law authorizing him to dispose of real estate of the deceas-

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Huling from the committee for enrolled bills, reported a resolution appointing justices of the peace for the counties of Claiborne, Sullivan, Dickson, Carroll, Henderson, Madison and Dyer.

And a resolution providing for the adjudication of the grants and certificates therein named, truly enrolled.

The speaker signed the said resolutions.

Ordered, that the clerk do carry the said resolutions to the senate.

The house took up a bill to incorporate the Hiwassee canal company.

Mr. Gibbs made a motion to amend the said bill by striking out so much thereof as authorizes the governor to subscribe for 100 shares on behalf of the state.

And the question being taken thereon,

It passed in the affirmative.

Ordered, that Mr. Reneau have leave to withdraw the said bill for amendment.

A bill for the relief of William Young, was read a third time.

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 21, Nays 17.

The yeas and nays being demanded by the constitutional number of members

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady	Mr. Batson,
Balch,	Camp,
Brabson,	Crisp,
Buchanan,	Desha,
Cheatham,	Douglass,
Dulany,	Gibbs,
Fletcher,	Graham,
Frazier,	Hope,
Hardin,	Huling,
Kelly,	Kincaid,
Lytle,	M'Alister,
M'Farland,	M'Clain,
M'Iver,	Massengill,
Martin,	Thompson,
Moore,	Tunnell,
Parsons,	Williamson and
Reneau	White—17.

Stuart,
Thomas
Tipton, and
Turney—21.

Ordered, that the clerk do carry the said bill to the senate,

A bill to establish a 10th judicial circuit and for other purposes.

*W*as read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Balch returned a bill to amend an act entitled an act requiring the clerks, solicitors and other officers to perform certain duties, and made a motion to amend the said bill by striking out the senate's amendment to said bill, and inserting the original bill, and before the question was taken thereon.

Ordered, that Mr. Huling have leave to withdraw the said bill for amendment.

Mr. Reneau returned

A bill for the relief of the clerks of *W*ashington and other counties, with an amendment which was read.

On motion of Mr. Kincaid,

Ordered, that said bill and amendment lie on the table until *W*ednesday next.

A message from the senate by *M*r. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign an enrolled bill for the relief of Joel H. Dyer executor.

The senate concur in the resolution of this house appointing *W*illiam Lyon, George Graves and Edward R. Davis justices of the peace for the county of Knox.

They concur in the resolution of this house, that the secretary of state be authorized to deliver to the persons entitled or their representatives, title papers on file in his office and which it may not be necessary to retain.

They concur in the resolution of this house referring grant 783 for adjudication.

The senate nonconcur in your insisting message to appoint John S. Gaines and Jesse Cross justices of the peace for the county of Sullivan.

They have passed a resolution appointing George Gammon and William Rockhold justices of the peace for the county of Sullivan, in which they ask the concurrence of this house.

They have taken up on its third and last reading in both houses.

A bill to incourage the building of mills in the western district and propose amending the same by striking out three before the word hundred in the third section, also by striking out four before the word hundred in the 5th section and inserting in lieu thereof, the words not more than two, in which they ask your concurrence.

The senate concur in so much of the amendment of this house, to a bill to amend the laws respecting Cumberland College as proposes to strike out the word Tennessee and insert the word Nashville, but disagree to inserting the words in the state of Tennessee, after the word Nashville.

The senate concur in your preamble and noncon-cur in your resolutions directing our senators & requesting our representatives in congress to use their exertions to effectuate an extension of the judicial system of the United States to all the states in the union and have passed a resolution to be appended to the said preamble, approving the course pursued by our senators and representatives on this subject, and that the general assembly will expect of them to continue their exertions as heretofore to procure upon fair and proper principles an equal participation in the benefits and advantages of the federal judiciary to all the states of the union, and that the governor be requested to forward a copy of the preamble and resolution to each of our senators and re-

presentatives in congress, in which they ask the concurrence of this house.

They have passed a resolution to authorize the printing of 100 copies of the joint report of the commissioners of Alabama and Tennessee, on the removal of the obstructions in the muscle shoals, in which they ask the concurrence of this house.

The senate have passed a resolution appointing William Haywood and Eldridge Horde justices of the peace for the county of Hawkins, in which they ask the concurrence of this house.

And then he withdrew; when,

The speaker signed the enrolled bill mentioned in the senate's message.

Ordered, that the clerk deposit the said bill in the office of the secretary of state.

On motion of Mr. Dulany,

Ordered, that a message be sent to the senate adhering to the insisting message of this house appointing John S. Gaines and Jesse Cross justices of the peace for the county of Sullivan.

The house took up the senate's resolution appointing justices of the peace for the county of Sullivan.

And the question being taken on agreeing thereto,

It was determined in the negative.

Ordered, that the clerk acquaint the Senate therewith.

The house took up the senate's amendments to a bill to encourage the building of mills in the western district.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

The house took up the senate's resolution to be appended to the preamble adopted by this house in

relation to an extension of the federal judiciary to all the states of the union.

Mr. Fletcher made a motion to lay the said preamble and resolution on the table indefinitely.

And the question being taken thereon,

It passed in the negative,

The question was then taken on agreeing to the said resolution, and

It was determined in the affirmative.

Ordered that the clerk acquaint the senate therewith.

The house took up the senate's resolution authorizing the printing of 100 copies of the joint report of the commissioners of Alabama and Tennessee, for removing the instructions in the muscle shoals.

Mr. Parsons made a motion to amend the resolution by striking out 100, and inserting 1200.

And the question being taken thereon,

It passsed in the negative.

The question was then stated:

Will the house agree to the said resolution, and

It was determined in the negative.

Ordered, that the clerk acquaint the senate therewith.

The house took up the senates resolution appointing William Haywood and Eldridge Horde justices of the peace for the county of Hawkins.

And the question being taken on agreeing thereto,

It passed in the negative.

Ordered, that the clerk acquaint the senate therewith.

A bill to amend the laws respecting Cumberland College.

Was read the third time and last time as amended, passed and

Ordered, to be engrossed.

On motion of Mr. Reneau,

Ordered, that a bill to amend the judiciary sys-

tem of this state be made the order of the day for to-morrow.

Ordered that Mr. Williamson have leave to withdraw for amendment,

A bill to change the name of Rhodam Moore to that of Rhodam Yoe.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate have passed a resolution referring the grants and military warrants therein mentioned for adjudication, and

A resolution refering grant 16680 for adjudication, in which they ask the concurrence of this house.

And then he withdrew.

The house took up the first of said Resolutions.

Which was read,

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

The house took up the second of said resolutions referring grant 16680 for adjudication,

Which was read.

Mr. Turney made a motion to strike out so much of said resolution as directs a certificate to issue for land taken by an older and better title.

And the question being taken thereon,

It passed in the negative.

The question was then stated:

Will the house agree to the said resolution, and

It was determined in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

A bill to amend an act entitled an act to revise the militia laws passed in 1825, was read, and amended.

On motion of Mr. Desha and Mr. Thompson.

Ordered, that Mr. Graham have leave to withdraw the said bill for amendment.

A bill for the relief of Polly B. Caperton, and

A bill to legalize certain elections and proceedings in the county of Dyer,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of Elizabeth Hammond.

A bill for the benefit of Sena Grubbs.

A bill to legalize the official acts of the justices of the peace therein named, and

A bill to compel plaintiffs to give defendants their proper credits.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Ordered, that Mr. Turney have leave to withdraw for amendment,

A bill to modify an act of 1817 to prohibit duelling.

Ordered, that Mr. Huling have leave to withdraw for amendment,

A bill to repeal part of an act passed in 1825 relating to the navigation of Red river.

A bill for the relief of the surveyor of the 10th district,

Was read a second time

Mr. Camp made a motion to strike out the second section of the bill providing compensation to the surveyor of the 9th district.

And the question being taken thereon,

It passed in the negative.

Mr. M'Iver made a motion to fill the blank in the second section with the sum of twenty five dollars.

And the question being taken thereon,

It passed in the affirmative.

On motion of Mr. Frazier,

Ordered, that said bill lie on the table until to morrow.

A bill for the relief of Early Benson and George Bowers,

*W*as read a third time, amended on motion of Mr. Camp, and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Thompson introduced the following preamble and resolution, which was read at the clerk's table, to wit:

Whereas the pecuniary concerns of the people of this state from divers causes beyond their controul are at this time much embarrassed and without the interference of legislative aid, must entirely be ruined by the more wealthy citizens of the state, and as the bank of the state of Tennessee, was established for their aid and benefit in the hour of need and oppression, and being well aware that their necessities cannot be supplied, so long as the bank continues to pay specie as every thing like accommodation has stopped.

Therefore,

Resolved, by the general assembly of the state of Tennessee, that the president and directors of the bank of the state of Tennessee, be and they are hereby directed to suspend specie payments, until othorwise directed by the general assembly of the state of Tennessee.

*A*nd that they also are hereby directed to receive Nashville bank bills at their several agencies in this state, in payment of all monies heretofore or may hereafter be loaned at the several agencies of said bank in this state.

And the question being taken on agreeing thereto,

It was determined in the negative.

Yeas 1, Nays 37.

The yeas and nays being demanded by the constitutional number of members,

The affirmative vote was	Those who voted in the negative are,
Mr. Thompson—1	Speaker Brady,
	Batson,
	Balch,
	Brabson,
	Buchanan,
	Camp,
	Cheatham,
	Crisp,
	Desha,
	Douglass,
	Dulaney,
	Fletcher,
	Frazier,
	Gibbs,
	Graham,
	Hardin,
	Hope,
	Huling
	Kelly,
	Kincaid,
	Lytle,
	McAlister,
	McFarland
	McClain
	McIver,
	Martin,
	Massengill,
	Moore,
	Parsons,
	Reneau
	Stuart,
	Thomas,
	Tipton,
	Tunnell,
	Turney,
	Williamson and
	White—37.

And so the said resolution was rejected.

Ordered, that Mr. Gibbs have leave to withdraw for amendment,

A bill to amend an act entitled an act supplemental to an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of little Tennessee river, passed November 23d, 1825.

And then the house adjourned.

TUESDAY, NOVEMBER 28, 1826.

The speaker laid before the house a communication from Robert L. Cobbs esq. in relation to a compilation of the laws of the state as required by the act of 1825.

Ordered, that said communication lie on the table.

Mr. Balch presented a memorial of the trustees of Rhea academy in the county of Greene, praying a further appropriation of money for the use of said academy.

Ordered, that said memorial lie upon the table.

Mr. Graham presented a petition of James M'Kinley and Nathan Haggard praying the passage of a law authorizing them to open a turnpike road.

Ordered, that said petition be referred to the committee on internal improvements.

Mr. Camp from the committee of propositions and grievances made an unfavorable report upon the petition of the heirs at law of George *W*est deceased, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayor of the petitioners ought not to be granted.

Mr. Williamson returned

A bill to alter the name of Rhodam Moore to that of Rhodam Yoe, with an amendment,

Which was read.

And the question being taken on agreeing thereto,

It was determined in the affirmative,

The said bill was then read a third time as amended and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Hardin introduced

A resolution appointing *W*illiam B. Poug, Elkin Hand, William Newton, Henry Maham, Jacob Biffle, *A*braham Brewer and Francis M'Bride justices of the peace for the county of *W*ayne.

Nathan Kemp, Benjamin Jones, Milton C. Martin and Charles Ferrett justices of the peace for the county of M'Nairy.

Larken Ferrell, and William Frazier justices of the peace for the county of Tipton.

David Dunn and Robert Mickerberry justices of the peace for the county of Shelby, and

Isaac B. M'Clelland, Wilkins Oldham, Thomas M'*M*acking, Samuel *W*ilson, Henry T. Steele, John Ragan, Daniel W. Head and Thomas J. Cook justices of the peace for the county of Fayette.

*A*nd the question being taken on agreeing thereto.

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

*M*r. Parsons introduced

A resolution appointing James Willis, Ezekiel Sullivan, John Wallen, Robert Young jr. Lazarus Spiers Robert Dobson, Allen Mooney and Eldridge Horde justices of the peace for the county of Hawkins, and

Richard B. Mitchell and James H. Howry notaries public for said county of Hawkins.

*A*nd the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A bill to authorize a certain deed to be registered,

Was read a second time and passed:

Ordered, that the clerk do carry the said bill to the senate.

Mr. Huling returned

A bill to repeal part of an act relating to the navigation of Red river, with an amendmend, which was read.

And the question being taken on agreeing thereto

It was determined in the affirmative.

Ordered, that Mr. Gibbs have leave to withdraw the said bill for amendment.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled an act for the relief of Jesse Mayfield of M'Minn county.

An act to authorize a lottery for the improvement of the Forked Deer river.

An act supplemental to an act entitled an act to authorize Samuel Terry, Peter Hoodenpyl and William Rainey to open a turnpike road.

An act for the relief of the sheriff of Claiborne county.

An act for the relief of James Littleton.

An act for the relief of citizens of the county of Sevier residing between Bays mountain and the river Holston.

An act to repeal part of the secend section of an act entitled an act supplemental to an act to amend an act to condence and bring into one view, the revenue laws of this state and to amend the same, passed at Knoxville November 22d 1817.

A resolution referring certain grants and a resolution for the relief of John Jenkins.

And then he withdrew; when

The speaker signed the said bills and resolutions.

Ordered, that the clerk deposit the said bills and resolutions in the office of the secretary of state.

The house took up
A bill to amend the judiciary system of this state.
Mr. Parsons offered an amendment thereto,
And after some time spent in the consideration thereof.
Ordered that said bill and amendment lie on the table until to-morrow.
Mr. Gibbs returned
A bill relating to the navigation of Red river, with an amendment,
Which was read.
And the question being taken on agreeing thereto,
It was determined in the affirmative; when
The said bill was read a third time and passed.
Ordered, that the clerk do carry the said bill to the senate.
A bill to appoint a commissioner for the town of Newport.
A bill supplemental to an act entitled an act requiring the clerks and trustees to perform certain duties, and
A bill for the relief of Reuben Smith and James N. Smith.
Were severally read a second time and passed.
Ordered, that the clerk do carry the said bills to the senate.
Mr. Gibbs returned
A bill to amend an act entitled an act supplemental to an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of little Tennessee river, with an amendment.
Which was read.
And the question being taken on agreeing thereto,
It passed in the affirmative.
The said bill was then read a third time as amended, and passed.
Ordered that the clerk do carry the said bill to the senate.

A bill regulating the votes for ar against the call of a convention,

Was read the first time and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Mcvler introduced

A resolution for the relief of John T. Harman.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Thomspon introduced

A resolution for the benefit of George Beard.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Lytle introduced

A resolution to refer the grants and warrants for adjudication therein mentioned.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein

Mr. Gibbs returned

A bill to authorize Charles I. Love to open a turnpike road.

Ordered that said bill lie on the table.

A bill to carry into effect the laws against usury,

Was read a second time,

And the question being stated:

Shall the said bill pass;

It was determined in the negative.

Yeas 15, Nays 21.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are

Mr. Balch,
Buchanan,
Camp,
Cheatham,
Fletcher,
Gibbs,
Huling,
Kincaid,
Lytle,
*M'*Alister.
*M*artin,
Moore,
Perkins,
Thompson, &
Turney—15.

Those who voted in the negative, are

Mr. Batson,
Brabson,
Desha,
Douglass,
Dulany,
Graham,
Hardin,
Hope,
Kelly,
*Mc*Farland,
*Mc*Clain,
*M'*Iver,
Massengill,
Parsons,
Reneau,
Stuart,
Thomas
Tipton
Tunnell,
Williamson &
White—21.

And so the said bill was rejected.

A bill appointing an attorney general for the state and for other purposes

Was read.

Mr. Parsons made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the negative.

Mr. Reneau made a motion to strike out the words "eighteen hundred" in the section and insert "fifteen hundred."

Mr. Parsons made a motion to strike out eighteen hundred and insert "five hundred."

Mr. Thompson made a motion to adjourn.

And the question being taken thereon,

It passed in the affirmative.

And then the house adjourned.

WEDNESDAY, NOVEMBER 29, 1826.

Mr. Thomas presented

A petition of sundry inhabitants of Maury county praying that the volunteer companies may remain in the regiments to which they respectively belong.

Ordered, that said petition be referred to the committee on military affairs.

Mr. Crisp presented

A petition of Charles Brock praying the passage of a law authorizing him to build a mill on Spring creek.

Ordered that said petition lie on the table.

Mr. Reneau from the committee of claims made an unfavorable report upon the petitions of John M'Croskey of Monroe county, and William Phiggins and others.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioners ought not to be granted,

Mr. Reneau from the same committee made a favorable report upon the petition of William C. M'Kamey, Robert H. McEwen and George Wilson.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved that the prayer of the petitioners ought to be granted.

Mr. Reneau from the same committee, to whom was referred

A bill for the relief of John Whaler and others,

A bill for the relief of William Young, and

A bill to compensate James Rogers for certain services,

Made an unfavorable report upon the provisions of said bills.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the said bills ought not to pass.

And so the said bills were severally rejected.

Mr. Moore from the committee on internal improvements, made an unfavorable report upon the petition of sundry inhabitants of Washington county praying an appropriation of money to open a road from Jonesborough to North Carolina.

And the resolution therein contained was concurred in by the house as follows, to wit:

Resolved that the prayer of the petitioners ought not to be granted.

Mr. Reneau, from the committee of claims, reported

A bill to provide for defraying the expenses of removing the public property and records from Murfreesborough to Nashville without amendment.

When the said dill was read the first time & passed

Mr. Reneau, from the same committee, reported

A bill for the relief of Philip Maury, with an amendment,

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative.

The said bill was then read the time and passed.

Ordered, that the clerk do carry the said bills to senate.

Mr. Fletcher from the committee for enrolled bills, reported

An act to amend the laws respecting Cumberland College.

A resolution referring grant 783.

A resolution directory to the secretary of state.

A resolution appointing justices of the peace for Knox county, and

A resolution directing our senators and requesting our representatives to use their exertions to procure an extension of federal judiciary to all the states in the union, truly enrolled.

The speaker signed the said bill and resolutions.

Ordered that the clerk do carry the said bill and resolutions to the senate.

Mr. Turney returned

A bill to modify an act of 1817, to prohibit duelling, with an amendment,

Which was read.

Mr. Thomas made a motion to lay the said bill & amendment on the table indefinitely,

And the question being taken thereon,

It passed in the negative.

Yeas 19 Nays 19

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Batson,	Mr. Balch,
Brabson,	Camp,
Buchanan,	Cheatham,
Douglass,	Crisp,
Dulaney,	Desha,
Hardin,	Fletcher,
Hope,	Frazier,
McFarland,	Gibbs,
McClain,	Graham,
McIver,	Huling,
Martin,	Kelly,
Massengill,	Kincaid,
Perkins,	Lytle,
Reneau,	McAlister,
Stuart,	Moore,
Thomas,	Parsons,
Tunnell,	Thompson,
Williamson and	Tipton &
White—19.	Turney,—19.

Whereupon:

Mr. Turney withdrew his amendment to said bill.

Mr. Reneau made a motion to amend the title of the bill so as to read "a bill to encourage duelling."

And the question being taken thereon,

It passed in the negative.

Ordered that Mr. Thompson have leave to withdraw the said bill for amendment.

Mr. Huling returned

A bill to amend an act entitled an act requiring clerks, trustees and other officers to perform certain duties, with an amendment.

Which was read.

And the question being taken on agreeing thereto

It passed in the affirmative.

Mr. Balch made a motion to strike out the fourth section of the bill.

And the question being taken thereon,

It passed in the affirmative.

The said bill was then read a third time as amended, and passed.

Ordered, that the clerk do carry the said bill to the senate.

A message from the senate by Mr. Dance their clerk.

Mr. Speaker:

The senate insist on the passage of their resolution directing one hundred copies of the joint report of the commisssioners of Alabama and Tennessee to be printed.

The senate adhere to their nonconcurrence in your insisting message to appoint John S. Gaines & Jesse Cross justices of the peace for the county of Sullivan.

The senate nonconcur in your resolution for the relief of John Payton

The senate concur in your resolution for the relief of John Hinds. The senate have passed

A resolution for the relief of John Payton.

In which they ask the concurrence of this house.

The senate concur in the resolutions of this house for the relief of George Beard & John T. Harman, and the reference of grants for adjudication.

And then he withdrew.

The house proceeded to consider

The senate's resolution for printing one hundred copies of the joint report of the commissioners of Alabama and Tennessee.

Mr. Parsons made a motion to amend the resolution

by striking out one hundred and inserting twelve hundred.

And the question being taken thereon,

It passed in the affirmative.

And the question being stated:

Will the house agree to the said resolution as amended?

And it was determined in the affirmative:

Ordered that the clerk acquaint the senate therewith.

The house proceeded to consider

The Senate's resolution for the relief of John Payton.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Mr. McIver introduced

A resolution for the relief of Jonathan Welch.

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Gibbs introduced

A resolution for the relief of William Hunter.

Which was read,

Ordered, that said resolution be referred to the committee on land claims.

Mr. Thomas introduced

A resolution to ascertain the boundaries of the several counties in this state.

Which was read,

And the question being taken on agreeing thereto,

It passed in the negative.

And so the said resolution was rejected.

The house took up

A bill for the benefit of the surveyor of the tenth district.

Mr. Thompson made a motion to strike out the second section of the bill, which provides compensation to the surveyor of the ninth district.

And the question being taken thereon,

It passed in the affirmative.

The said bill was then read a second time and passed.

Ordered, that the clerk do carry the said bill to the Senate.

A bill to authorize *W*illiam Forbean to raise or extend his mill dam, and

A bill for the relief of Richard C. Harris,

Were severally read a second time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill directing the register of the Western District to issue grants in certain cases,

Was read a third time.

Mr. Turney made a motion to amend the bill by striking out the words "or to their assignees," in the first section.

And the question being taken thereon,

It passed in the affirmative.

The question was then stated:

Shall the said bill pass?

It was determined in the affirmative.

Ordered that the clerk do carry the said bill to the senate.

A bill to prohibit clerks of the courts of law or equity from becoming security to suits determinable in their respective courts,

A bill directing duplicates to issue in lieu of warrant 385, and

A bill to authorize the county court of Anderson to build a house for the accomodation of the poor,

*W*ere severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Huling returned

A bill to repeal the act of 1825, directing the sale of school lands, with an amendment,

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative.

The said bill was then read the first time and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Hope returned

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river, with an amendment,

Which was read,

And the question being taken on agreeing thereto,

It passed in the affirmative.

The said bill was then read a second time and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Reneau returned

A bill to incorporate the Hiwassee canal company with an amendment.

Ordered that said bill and amendment lie on the table.

A bill revising and amending the laws prohibiting the introduction of slaves into this state as articles of merchandize,

Was read the first time and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Dulaney introduced

A resolution appointing John S. Gaines, James Poindexter, Josse Cross, George Gammon and Wil-

ham Reekhold justices of the peace for the county of Sullivan.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. *Martin* introduced

A resolution appointing David C. Kinnard a justice of the peace for the county of *Williamson*.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Frazier presented

The resignation of Samuel McCaleb, a justice of the peace in the county of Knox.

Which was read and accepted.

Mr. Frazier introduced.

A resolution appointing Robert Tunnell a justice of the peace for the county of Knox.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. *White* introduced

A resolution for the relief of Joseph Dunham.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein,

Mr. McIver introduced

A resolution appointing John A. Greer, Hezekiah

Bradburr and James E. Jordan justices of the peace for the county of Henderson, and

David Moore a justice of the peace for the county of Carroll.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

Mr. Hope returned

A bill for the relief of those citizens in the Hiwassee District who are sued by Indian reservees.

Ordered that said bill lie on the table.

A bill to amend an act entitled an act to fix permanently the seat of justice in Harden county.

Was read a third time, amended

On motion of Mr. Hardin

And passed.

Ordered that the clerk do carry the said bill to the senate.

The house took up the unfinished business of yesterday, to wit:

A bill appointing an attorney general of the state of Tennessee,

The motions made by Mr. Reneau and Mr. Parsons on yesterday being still pending,

Mr. Parsons withdrew the motion made by him on yesterday, and now

Made a motion to strike out 1800 dollars, and insert in lieu thereof 250 dollars.

And the question being taken thereon,

It was determined in the negative.

Mr. Thempson made a motion to strike out 1800 dollars and insert 500 dollars.

And the question being taken thereon,

It passed in the negative.

Mr. Reneau now demanded the question upon the motion made by him on yesterday and undetermined when the house adjourned.

Whereupon: *Mr.* Thompson made a motion to strike out 1600 dollars, and insert 1000 dollars.

And the question being taken thereon,

It passed in the affirmative. Whereupon:

Mr. Crisp made a motion to reconsider the said vote last taken,

And the question qeing taken thereon,

It passed in the affirmative.

Yeas 27, nays 12.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Brabson
Batson,	Douglass,
Balch,	Dulany,
Buchanan	Graham,
Camp,	Kincaid,
Cheatham,	McFarland,
Crisp,	Massengill,
Deshia,	Parsons,
Fletcher,	Thompson,
Frazier,	Tunnell
Gibbs,	Turney, &
Hardin	White—12.
Hope,	
Huling,	
Kelly,	
Lytle,	
McAlister,	
McClain,	
McIver,	
Martin,	
Moore,	
Perkins,	
Reneau,	
Stuart,	
Thomas	
Tipton, &	
Williamson—27.	

And so the said vote was reconsidered.

Mr. Parsons offered an amendment in lieu of the whole bill.

Which was read,

And the question being taken on agreeing thereto,

It passed in the negative.

Whereupon:

Mr. Crisp made a motion to strike out 1800 dollars, and insert 1500 dollars.

A division of the question was demanded and ordered by the house.

And the question being first put:

Will the house strike out eighteen hundred dollars?

It was determined in the affirmative.

Whereupon:

Mr. Thompson made a motion to fill the blank with the words 1050 dollars,

And said motion having preference,

And the question being put.

It was determined in the negative.

Yeas 13, Nays 24.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Brabson,	Mr. Speaker Brady,
Buchanan,	Batson,
Douglass,	Balch,
Dulany,	Camp,
Hardin,	Cheatham,
Kincaid,	Crisp,
McFarland,	Desha,
Massengill,	Fletcher,
Parsons,	Frazier,
Thompson,	Gibbs,
Tunnell,	Graham,
Turney &	Hope,
White—13.	Huling,

Kelly,
Lytle,
*M'*Alister,
*Mc*Clain,
*M'*Iver,
Moore,
Reneau,
Stuart,
Thomas
Tipton &
Williamson—24.

The question was then taken on filling the blank with 1300 dollars,

A motion made by *Mr.* Kincaid.

And determined in the affirmative.

Yeas 20, nays 19.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are

Mr. Batson,
Buchanan,
Douglass,
Dulany,
Hardin,
Kelly,
Kincaid,
M'Alister,
M'Farland,
M'Iver,
Martin,
Massengill,
Moore,
Parsons,
Perkins,
Reneau
Stuart,
Thompson,
Tipton, and
Williamson—20

Those who voted in the negative, are

Mr. Speaker Brady
Balch,
Brabson,
Camp,
Cheatham,
Crisp,
Desha,
Fletcher,
Frazier,
Gibbs,
Graham,
Hope,
Huling,
Lytle,
M'Clain,
Thomas
Tunnell,
Turney and
White—19.

And so the blank was filled with the words, 1300 dollars.

Mr. Fletcher made a motion to fill the blank in the 7th section with the words ten dollars.

And the question being taken thereon,

It passed in the affirmative.

Mr. Stuart made a motion to amend the bill by inserting the words for the term of three years and no longer, in the first section.

And the question being taken thereon,

It passed in the affirmative.

Mr. Huling made a motion to amend the bill by striking out the 10th section.

And the question being taken thereon,

It passed in the affirmative.

When the question was stated:

Shall the bill pass a third time.

And debate having arisen on the provisions of the said bill.

Mr. Douglass called for the previous question, which being demanded by a majority of the members present.

The said previous question was put in the form prescribed by the rules and orders of the house, to wit: Shall the main question be now put?

And passed in the affirmative.

The main question was then stated from the chair.

Shall the bill pass a third time, and

It was determined in the affirmative.

Yeas 26, Nays 13.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady,
Patch,	Brabson,
Buchanan,	Douglass,
Camp,	Dulany,
Cheatham,	Graham,
Crisp,	Hardin,

Desha,
Fletcher,
Frazier,
Gibbs,
Hope,
Holing,
Kelly,
Kincaid,
Lytle,
M'Alister,
M'Clain,
M'Ivor,
Martin,
Moore,
Perkins,
Reneau,
Stuart,
Thomas,
Tipton, and
Williamson—26

M'Farland,
Massengill,
Parsons,
Thompson,
Tunnell,
Tinney, &
White -13.

Ordered that the clerk do carry the said bill to the senate.

And then the House adjourned.

THURSDAY, NOVEMBER 30, 1826.

Mr. Douglass presented a petition of Albert Townsend praying a divorce from his wife Polly.

Ordered, that said petition be referred to the committee on Divorces.

Mr. Crisp presented a petition of sundry citizens of Fayette county praying the appointment of justices of the peace.

Ordered, that said petition be referred to the committee of captains companies and justices of the peace.

Mr. Fletcher from the committee for enrolled bills reported

A resolution providing for the issuance and adju-

dication of the grants and certificates therein mentioned, and

A resolution appointing justices of the peace for Washington county, truly enrolled.

The speaker signed the said resolutions.

Ordered, that the clerk do carry the said resolutions to the senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled an act for the benefit of David Richardson.

An act to alter the names of persons therein named.

An act for the relief of William Young.

An act to encourage the building of mills in the western district.

An act for the relief of William Scott.

A resolution referring grants and entries therein named.

A resolution referring grant 16680.

An act for the benefit of Samuel Buchanan and John Sutton.

An act for the benefit of Early Benson and George Bowers,

An act to make legal certain proceedings and elections in the county of Dyer.

An act to alter the names of the persons therein mentioned.

An act to repeal part of the act relating to the navigation of Red river.

An act directing the register of the western district to issue grants in certain cases.

An act for the relief of Polly B. Caperton of Franklin county.

An act to prohibit clerks from becoming security.

An act directing certificates to issue in lieu of warrant 385, and

An act to authorize the county court of Anderson to build a house for the poor.

The senate concur in the resolutions of this house for the relief of Jonathan Welch and Joseph Porter, and the appointment of justices of the peace for the counties of Williamson, Sullivan, Henderson and Carroll.

The senate concur in your appointment of justices of the peace and notaries public for the county of Hawkins, except appointing Robert Young and Robert Dobson justices of the peace of said county, to which they disagree.

The senate have passed a resolution to elect an entry taker for Rutherford county to-morrow at 12 o'clock.

The senate have passed a resolution for the relief of Joseph Porter and William Onstot, also

A resolution referring grants 9656, 364, 390, 391, 392 and 161, in which they ask the concurrence of this house.

And then he withdrew; when,

The speaker signed the several bills and resolutions mentioned in the senate's message.

The house proceeded to consider the senate's resolutions for the relief of Joseph Porter and William Onstot and referring the grants in said message.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Ordered, that the senate's resolution fixing a time for the election of an entry taker for Rutherford county lie on the table.

On motion of Mr. Parsons,

Ordered, that a message be sent to the senate insisting on the appointment of Robert Young and Robert Dobson justices of the peace for Hawkins county.

A bill for the relief of Noah Parker, and

A bill to amend an act to settle the claims of North Carolina.

Were severally read a second time and passed.

Ordered that the clerk do carry the said bill to the senate.

The house took up a bill for the relief of Joseph Calloway.

Mr. Huling made a motion to amend the bill by striking out 345 dollars and inserting 270 dollars.

And the question being taken thereon,

It passed in the affirmative.

The said bill was then read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Crisp introduced a resolution appointing Enoch Tucker, Samuel Blythe, Thomas Kees, William S. Duncan, Philip Chrenster, Robert Newton, Michael Layton, Robert Brashears and George Keeton, justices of the peace for the county of Lawrence.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

The house took up a bill to incorporate the Hiwassee canal company, and

The amendment offered by Mr. Reneau which provided for opening the canal alone being read and the question taken on agreeing thereto.

It passed in the negative.

When the said bill was read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. Graham returned

A bill to amend an act to revise the militia laws of this state, with an amendment,

Which was read.

And the question being taken on agreeing thereto,

It passed in the negative.

When the said bill underwent sundry modifications and amendments, and

Was read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to enlarge the provisions of an act entitled an act to authorize the drawing of a lottery in the counties of Dixon and Montgomery,

Was read a second time amended on motion of Mr. Crisp, and passed.

Mr. Douglass introduced

A resolution referring grants 1956, 3121 and 18859 for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Ordered, that Mr. Crisp have leave to withdraw or amendment

A bill for the relief of William R. Davis.

A bill for the benefit of Samuel M'Connell.

A bill to legitimate Eliza Guy.

A bill to incorporate the mount cumberland academy.

A bill to change the name of the Centreville blues.

A bill to regulate the taxing of lots in the town of Milton.

A bill for the benefit of Samuel M'Camy.

A bill for the relief of Nancy W. Carver, and

A bill for the relief of the persons therein named.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to amend an act entitled an act requiring

the clerks, trustees and other officers in this state to perform certain duties,

Was read.

Mr. Huling made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill was rejected.

A bill to raise the salary of the President of the bank of the state of Tennessee,

Was read.

Mr. Fletcher made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill was rejected.

A bill concerning the registration of deeds.

A bill authorizing the drawing of a lottery for removing obstructions in the cany fork.

A bill to encourage domestic manufactures.

A bill to incorporate the town of Somerville.

A bill to appoint additional trustees for east Tennessee college.

A bill to repeal the laws now in force respecting the change of venue, and

A bill for the relief of Ambrose Powell,

Were severally read the first time and passed.

A bill for the relief of John Sutton and Samuel Buchanan, and

A bill to provide for defraying the expense of removing the public property and records from Murfreesboro' to Nashville,

Were severally read a second time and passed.

A bill to establish annual musters in the regiment of cavalry attached to the 4th brigade.

A bill for the benefit of John H. Bills.

A bill for the relief of Richard C. Harriss.

A bill concerning the Winchester light infantry company.

A bill for the relief of Thomas Ely.

A bill to authorize the payment of $500 each to John Haywood and Robert L. Cobbs,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Ordered, that Mr. Thomas have leave to withdraw for amendment,

A bill for the relief of Rachiel Houston.

A bill to authorize Samuel Allen to erect a mill on Nolecknakey river,

Was read.

Mr. M'Alister made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill was rejected.

A bill for the benefit of jailors,

Was read a second time, amended on the motions of Mr. Frazier and Mr. Thomas, and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to repeal the 24th chapter of the acts of 1825.

Was read.

Mr. Camp made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

A bill vesting particular powers in the county court of Monroe county.

Was read a third time and last time passed and ordered to be engrossed.

A bill for the benefit of Elijah Tilford,

Was read a second time, amended on the motions of Mr. Turney and Mr. Buchanan, and passed.

Ordered, that the clerk do carry the said bill to the senate.

Ordered, that Mr. Kincaid have leave to withdraw for amendment,

A bill to suspend the sale of the school lands, and to collect the rents.

A bill to appropriate money to open a road in Hawkins county.

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

Ordered, that Mr. White have leave to withdraw for amendment,

A bill to authorize Jesse Lincoln to open a turnpike road.

On motion of Mr. Balch,

The house took up the senate's resolution appointing Simon Pope, Seabourn Jewel and John W. Wilson justices of the peace for the county of Greene.

And the question being taken on agreeing thereto,

It passed in the negative.

Ordered, that the clerk acquaint the senate therewith.

A bill to amend the militia laws of this state, was read.

Mr. Thomas made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

And then the house adjourned.

FRIDAY, DECEMBER 1, 1826.

Mr. Kelly presented the clerks return of Rhea county of captains companies and justices of the peace.

Ordered, that said return lie on the table.

Mr. Huling from the committee for enrolled bills reported a resolution appointing justices for the counties of Sullivan, Carroll, Williamson and Henderson, and

A resolution providing for the issuance of grants and certificates therein mentioned truly enrolled.

The speaker signed the said resolutions.

Ordered, that the clerk do carry the said resolution to the senate.

Mr. Lytle from the committee of land claims to whom was referred a bill to authorize Reuben Ross to enter certain lands, reported the same without amendment.

When the said bill was read the first time and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Lytle from the same committee made a favorable report upon the petition of George T. Gillaspie, and the resolution therein contained was concurred in by the house as follows, to wit:

Resolved, that the prayer of the petitioner ought to be granted.

Mr. Lytle from the same committee made an unfavorable report upon the petitions of Margaret Mulherrin and Ethelred Williams.

And the resolution therein contained was concurred in by the house as follows to wit:

Resolved, that the prayer of the petitioners ought not to be granted.

A bill to authorize the drawing of a lottery for the benefit of Richard Jones Jun'r.

A bill for the relief of Marius Oury.

A bill to exempt the land on which Mount Pleasant meeting house stands from taxation.

A bill to provide for a speedy distribution of the public acts and journals.

A bill to authorize a lottery to enable Jeremiah Dial and others to make salt in Bedford county.

A bill for the benefit of Isaac Jones of Knox county.

A bill to repeal an act for the relief of owners of lots in the town of Alexandria, and

A bill to legalize the acts of John Bricker of Washington county.

Were severally read and passed a second time.

Ordered, that the clerk do carry the said bills to the senate.

A bill to compel the bank of the state to loan sums of money not less than ten dollars.

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

Mr. Camp introduced a resolution to refer grant No 15680.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. White introduced a resolution referring grants 8892 and 286.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

The house took up the report of the committee of claims, on the resolution for the relief of George Wilson.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A bill to authorize the payment of garnishees.

A bill to regulate the county court of Maury and other counties.

A bill for the relief of Saban B. Williams.

A bill to amend the laws regulating merchants license, and

A bill for the benefit of Ann Young.

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Thomas returned a bill for the benefit of Rachel Houston, with an amendment.

Which was read,

And the question being taken on agreeing thereto,

It passed in the negative.

The said bill was then amended on motion of Mr. Dulany, read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. M'Iver introduced a resolution referring sundry grants therein mentioned for adjudication.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Hardin introduced a resolution for the relief of William Burrow.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Thompson returned a bill to modify the act of 1817 to prohibit duelling, with an amendment.

Which was read.

And the question being taken on agreeing thereto,

It passed in the affirmative.

The said bill was then read a second time.

And the question being state :

The yeas and nays were demanded on the passage of the bill by the constitutional number of members, and being ordered by the house.

Mr. Speaker Brady and Mr. Desha requested to be excused from voting on the said bill.

Mr. Fletcher made a motion that the house do not excuse the speaker and Mr. Desha from voting on the passage of said bill.

And the question being taken thereon,

It passed in the affirmative,

And so the house refused to excuse the speaker & Mr. Desha from voting on the passage of said bill,

Whereupon:

The clerk proceeded to a call of the members, and there were,

Yeas 21, Nays 18.

Those who voted in the affirmative are	Those who voted in the negative are,
Mr. Speaker Brady,	Mr. Batson,
Balch,	Brabson,
Camp,	Buchanan,
Cheatham,	Douglass,
Crisp,	Graham,
Desha,	Hardin,
Dulaney,	Hope,
Fletcher,	McFarland
Frazier,	McClain
Gibbs,	McIver,
Huling	Massengill,
Kelly,	Perkins,
Kincaid,	Reneau
Lytle,	Stuart,
M. Alister,	Thomas,
Martin,	Tannell,
Moore,	Williamson and
Parsons,	White—18.
Thompson,	
Tipton, &	
Turney—21	

Ordered, that the clerk do carry the said bill to the senate.

A bill to exempt David Ragsdale from the payment of a turnpike tax,

Was read a second time

And the question being stated,

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled

An act to amend an act requiring the clerks and trustees, and other officers of the several counties in this state to perform certain duties,

An act to amend an act entitled an act supplemental to an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of little *Tennessee* river,

A resolution for the relief of John Payton, &

A resolution appointing a justice of the peace for Knox county.

The senate have taken up on its third and last reading in both houses,

A bill to allow pay to garnashees, and propose amending the same by reinstating the proviso stricken out of said bill by this house.

In like manner the senate propose amending

A bill for the relief of Joseph Calloway, by striking out the words 270 dollars, and inserting the words 345 dollars.

In which amendments the senate ask the concurrence of this house.

And then he withdrew, when

The speaker signed the several enrolled bills and resolutions mentioned in the senate's message.

Ordered that the balance of said message lie on the table.

Ordered that Mr. Gibbs have leave to withdraw for amendment,

A bill for the relief of the solicitor of the eighth district.

On motion of Mr. *Thompson*,

The house took up

A bill to amend the judiciary system of this state,

Mr. Huling made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

Yeas 19, nays 17.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Batson,	Mr. Speaker Brady,
Buchanan,	Balch,
Desha,	Brabson,
Fletcher,	Camp,
Gibbs,	Cheatham,
Hope,	Douglass,
Huling,	Dulaney,
Kelly,	Frazier,
Lytle,	Hardin,
McClain,	Kincaid,
McIver,	McAlister,
Martin,	McFarland,
Parsons,	Massengill,
Perkins,	Moore,
Stuart,	Reneau,
Thomas,	Thompson, and
Tunnell,	Williamson—17.
Turney, &	
White—19.	

And so the said bill by operation of a rule of this house was rejected.

And then the house adjourned

SATURDAY, DECEMBER 2nd 1826.

Mr. Douglass presented

A petition of sundry inhabitants of the county of Overton, praying the passage of a law authorizing Sarah Brown to retail spirits without license.

Ordered that said petition lie on the table.

Mr. Thomas presented

A petition of James O'Reily, praying amendments to the laws of registration.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Lytle presented

The resignation of D. A. Dunham, a justice of the peace for Davidson county,

Which was read and accepted.

Mr. Crisp returned

A bill for the relief of *W*illiam R. Davis, without amendment, and made a motion to lay the said bill on the table indefinitely.

And the question being taken on agreeing thereto,

It passed in the affirmative.

And so the said bill by operation of a rule of this house was rejected.

The house took up the senate's amendment to the bill allowing pay to garnashees.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

The house took up the senate's amendment to the bill for the relief of Joseph Calloway, to wit—to strike out 270 dollars, and insert in lieu thereof 345 dollars.

*A*nd the question being taken on agreeing thereto,

It passed in the negative.

Yeas 12, nays 25.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Batson,
Brabson,	Buchanan,
Douglass,	Camp,
Dulany,	Cheatham,
Fletcher,	Crisp,
Harden,	Desha,
Hope,	Frazier,
Kelly,	Gibbs,
Lytle,	Graham,
McFarland,	Huling,
Reneau, &	Kincaid,
Tipton—12.	McAlister,
	M'Clain,
	M'Iver,
	Martin,
	Massengill
	Moore,
	Parsons,
	Perkins,
	Stuart,
	Thomas,
	Thompson,
	Tunnell,
	Williamson and
	White—25

A bill to establish a tenth judicial circuit,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
Yeas 18, nays 20.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Brabson,
Batson,	Buchanan,
Balch,	Camp,

Cheatham,
Crisp,
Fletcher,
Gibbs,
Graham,
Hardin,
Hope,
Huling,
Lytle,
Mclver,
Moore,
Parsons,
Reneau,
Thompson, &
Tipton—18.

Desha,
Douglass,
Dulany,
Frazier,
Kincaid,
M'Alister,
McFarland,
McClain,
Martin,
Massengill,
Perkins,
Stuart,
Thomas,
Tunnell,
Turney,
Williamson and
White—20.

And so the said bill was rejected.

Mr. Gibbs returned

A bill for the relief of the solicitor general of the eighth district with an amendment.

Which was read.

And the question being taken on agreeing thereto,

It was determined in the affirmative.

When the said bill was read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to authorize a Rifle Company in the 40th and 95th regiments,

A bill to amend the practice in chancery suits,

A bill for the relief of the devisees of Walter Simms deceased, and

A bill to repeal part of an act of 1817,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the Senate.

On motion of *Mr.* Gibbs,

Ordered, that the committee of propositions and grievances be discharged from the further consider

ation of the petition of William Hunter, and that the petitioner have leave to withdraw his petition and papers.

Mr. White introduced a resolution appointing James H. Pass, Benjamin M'Clain & Henry Burton, justices of the peace for the county of White.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A bill for the relief of Charles Miles,

Was read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to subject to entry a tract of land lately owned by Walter Simms, in Hawkins county,

Was read a second time,

And the question being stated,

Shall the said bill pass,

It was determined in the negative:

And so the said bill was rejected.

A bill to amend an act entitled an act to revise the militia laws of this state,

Was read a third time and last time, passed, and

Ordered to be engrossed.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate concur in the resolutions of this house,

For the relief of William Barrow and George Wilson.

Referring grants 15680, 8892, 286, 1956, 3121, 18859, and

For the reference of sundry grants therein specified.

The senate concur in your resolution appointing justices of the peace for the county of Lawrence.

The senate adhere to their non-concurrence in your resolution appointing Robert Young and Rob-

ert Dobson justices of the peace for the county of Hawkins.

The senate have passed a resolution that the treasurer of West Tennessee be directed to report forthwith to the general assembly, the amount of academy monies received by him, the amount of interest received, and what disposition has been made of the principal and interest; stating the amount received by the trustees of academies in the different counties in this state. Also

A resolution requiring the treasurer of this state to collect all monies due the state in uncurrent bank notes now in the treasury by suit, or in any other way they may think best. And also

A resolution providing for the appointment of a joint select committee to ascertain the expenses of the present session of the general assembly, to include Wednesday the 6th instant.

In which several resolutions the senate ask the concurrence of this house.

And then he withdrew.

Ordered that said message lie on the table.

On motion of Mr. Parsons.

Ordered that the clerk do again inform the senate this house adhere to their insisting message appointing Robert Young and Robert Dobson justices of the peace for the county of Hawkins.

Mr. Kincaid returned

A bill to suspend the sale of school lands and collect rents, and

Made a motion to amend the said bill by striking out the second and third sections, and inserting the following sections in lieu thereof, to wit:

"Be it enacted that the commissioners of school lands heretofore appointed, or who may hereafter be appointed, by the county courts of any of the counties in which there is school land, and to receive the rents and profits thereof, for the years 1826 and 1827, or until the supreme court shall decide upon the validity

the act of 1825, authorizing a sale of the school lands,

And apply the same as heretofore, to the support of schools in the respective townships in which said land may be.

And said commissioners are hereby authorized to take any legal steps which by law they were heretofore authorized to do, to reduce to their possession any tract or part of a tract of school land, which may be wrongfully held in the possession of any person or persons.

And every person so wrongfully possessed of any such school lands, shall pay to the commissioners of said lands, one dollar rent for every acre so wrongfully held by him, her or them, for every month he, seh or they may retain the possession thereof, after a demand of possession of such land by said commissioners."

And the question being taken on agreeing to said amendment,

It was determined in the negative.

Yeas 17, nays 19.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Buchanan,	Mr. Speaker Brady
Douglass,	Batson,
Fletcher,	Balch,
Gibbs,	Brabson,
Hope,	Camp,
Kelly,	Cheatham,
Kincaid,	Crisp,
Lytle,	Desha,
M'Farland,	Dulany,
M'Clain,	Frazier,
Moore,	Graham,
Parsons,	Hardin,
Reneau	Huling,
Stuart,	M'Alister,

Tipton,
Turney and
White—17.

M'Iver,
Martin,
Massengill,
Thomas and
Tunnell—19.

Mr. Fletcher made a motion to amend the said bill by striking out the sixth section in the following words:

"Be it enacted, that should the supreme court, upon the hearing, be equally divided in opinion, the injunctions against said sales, heretofore granted, shall be dismissed, and the treasurers will proceed to sell as required by the act of 1825.

And the question being taken thereon,

It passed in the affirmative.

Yeas 20, nays 17.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Batson,
Brabson	Balch,
Buchanan	Camp,
Douglass,	Cheatham,
Fletcher,	Crisp,
Gibbs,	Desha,
Hope,	Dulany,
Kelly,	Frazier,
Kincaid,	Graham,
Lytle,	Hardin
McAlister,	Huling,
McFarland,	McIver,
McClain,	Martin,
Moore,	Massengill,
Parsons,	Thomas
Reneau,	Tunnell &
Stuart,	White—17.
Thompson,	
Tipton, &	
Turney 20.	

The said bill was then read a second time and passed.

Ordered that the clerk do carry the said bill to the senate.

The house took up

A bill directing the disposal of academy monies.

Mr. Huling made a motion to amend the said bill by striking out the whole of the original from its enacting clause, and insert sundry sections in lieu thereof, providing that the academy monies shall be deposited in the bank of the state of Tennessee and its branch at Knoxville,

And that the directors of said bank shall provide without delay for the payment of the interest of academy monies to each county in the state, and charge the several county academies therewith.

And the question being taken thereon,

It passed in the affirmative.

Yeas 23, nays 15.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady,
Brabson,	Balch,
Buchanan,	Crisp,
Camp,	Desha,
Cheatham,	Douglass,
Fletcher,	Dulany,
Frazier,	Hardin,
Gibbs,	M'Farland,
Graham,	Massengill,
Hope,	Parsons,
Huling,	Tipton,
Kelly,	Tunnell,
Kincaid,	Turney,
Lytle,	Williamson and
M'Alister,	White -15.
McClain,	
M'Iver,	

Martin,
Moore,
Perkins,
Reneau,
Stuart, &
Thomas—23.

The said bill was then read a second time and passed.

Ordered that the clerk do carry the said bill to the senate.

And then the house adjourned.

MONDAY, DECEMBER 4th, 1826.

Mr. Massengill presented the resignation of William Dickson surveyor of Grainger county.

*W*hich was read and accepted.

Mr. Tunnell presented a petition of sundry citizens of Anderson county praying the passage of a law releasing John Parks jun'r. from the payment of part of an allowance adjudged against him for bastardy.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Graham presented a petition praying the appointment of *W*illiam Hampton a justice of the peace for Jackson county.

Ordered, that said petition be referred to the committee of captains companies and justices of the peace.

Mr. Thomas presented a petition of Joseph T. Elliott praying the passage of a law authorizing him to peddle without license.

Ordered, that said petition lie on the table.

Mr. Huling from the committee for enrolled bills reported, an act vesting particular powers in the county court of Monroe.

A resolution for the relief of George Wilson, and

A resolution providing for the issuance and adju-

dication of the grants and certificates therein speci fied truly enrolled.

The speaker signed the said bill and resolutions.

Ordered, that the clerk do carry the said bills & resolutions to the senate.

Mr. Camp from the committee of propositions and grievances reported, a bill to amend the registration laws.

Which bill was read the first time and passed,

Ordered, that the clerk do carry the said bill to the Senate.

Mr. Turney introduced

A resolution referring military warrants 5243, 4284 and 2988 for adjudication.

And appointing William Arnett and John Rice justices of the peace for Marion county.

And Charles Macey and Andrew Lowe justices of the peace for the county of Bledsoe.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate, and ask their concurrence therein.

Mr. Frazier made a motion to suspend the 8th rule of the house, to reconsider the bill to establish the 10th judicial circuit.

A division of the question was demanded by the house.

And the question taken to suspend the 8th rule of the house.

It was determined in the negative.

Yeas 15, Nays 18.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Brabson,
Batson,	Buchanan,
Cheatham,	Camp,

Crisp,
Desha,
Douglass,
Dulany,
Frazier,
Graham,
Hardin,
Huling,
Kelly,
Lytle,
*M'*Iver, &
Tipton—15.

Fletcher,
Hope,
Kincaid,
*M'*Alister,
*Mc*Clain,
Massengill,
Moore,
Parsons,
Reneau,
Stuart,
Thomas
Thompson,
Turney
Williamson &
White—18.

And so the house refused to suspend the said rule.

Mr. Moore introduced

A resolution appointing Francis Porterfield, William T. *Mason*, Davis Smith, Stephen Hightower, Richard Fleming and Joseph Penn justices of the peace for the county of Lincoln.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

The house took up the senate's resolution of yesterday, directory to the treasurer of West Tennessee.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Ordered, that the balance of the said message of yesterday lie on the table until Wednesday next.

A message from the senate by Mr. Dance their clerk.

Mr. Speaker:

The speaker of the senate did this day sign enrolled bills entitled an act for the relief of Joseph Calloway.

An act for the relief of Richard C. Harriss.

An act for the relief of Saban B. Williams.

An act to establish annual musters in the regiment of cavalry attached to the 4th brigade.

An act for the relief of the solicitor of the 8th district.

An act for the benefit of John H. Bills.

An act for the benefit of Ann Young.

An act to regulate the county court of Maury and other counties.

An act for the relief of Charles Miles, and

An act concerning the Winchester Light Infantry Company.

The senate have passed a resolution appointing Zill M'Caleb, Granville W. Johnson, Edward Stringer, Daniel Shouse, William Donnelly, John C. Lewis and Hiram Campbell justices of the peace for the county of Hickman.

Thomas Derham and Thomas Thompson justices of the peace for the county of Tipton, and

John Hill a justice of the peace for the county of Grainger, in which they ask the concurrence of this house.

The senate concur in the appointments made by this house of justices of the peace for the county of White.

The senate have passed a resolution directory to the president and cashier of the bank of the state of Tennessee, in which they ask the concurrence of this house.

And then he withdrew; when,

The speaker signed the several enrolled bills mentioned in the senate's message.

Ordered, that the clerk deposit said bills in the office of the secretary of state.

On motion of Mr. Massengill,

Ordered, that so much of the senate's message as appoints John *H*ill a justice of the peace for Grainger county lie on the table until Friday next.

The question was then stated:

*W*ill the house concur in the balance of the senate's message.

And passed in the affirmative,

Ordered, that the clerk acquaint the senate therewith.

A bill to amend an act to dispose of the lands lying between the rivers Hiwassée and Tennessee and north of Little Tennessee river, passed November 15, 1819.

A bill for the relief of Rachel Houston and others,

A bill to exempt the Mount Pleasant meeting house land from taxation, and

A bill to incorporate the town of Sommerville.

Were severally read a third time and last time passed and, ordered to be engrossed.

Mr. Gibbs introduced

A resolution appointing Daniel Bowie, Wilson L. Gower, Jordan Hyde, *W*illoughby Williams, William E. Watkins, Jesse Shelton and Edwin Harris justices of the peace for the county of Davidson.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Massengill introduced

A resolution requiring the titles and substance of the public acts to be printed.

*A*nd the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Gibbs introduced

A resolution referring the grants therein named for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Tipton introduced

A resolution for the relief of Thomas Spraggins.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A bill to authorize Charles I. Love to open a turnpike road.

A bill to incorporate a medical society in Tennessee.

A bill authorizing suits to be brought against administrators and executors in particular cases.

Were severally read the first time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill revising and amending the laws prohibiting the introduction of slaves into this state as articles of merchandize.

A bill for the benefit of Jordan Harriss.

A bill to amend an act entitled an act to make it the duty of registers to correct errors committed in the issuance of grants.

A bill to alter the time of holding the Rutherford circuit court.

A bill for the relief of James Reynolds of Shelby county.

A bill for the relief of Robert Gullet.

A bill for the relief of John Pritchett.

A bill authorizing the creation of a volunteer company in Paris.

A bill authorizing a reservey of Overton county.

A bill for the relief of Patrick Weigher.

A bill prescribing the duty of the commissioners appointed by the county courts south and west of the congressional reservation line, in reporting lands for taxes.

A bill to authorize the sheriff of Hawkins and other counties to appoint additional deputies.

A bill to authorize James and Alexander Street to build a mill on Duck river in Bedford county.

A bill to legalize the official acts of William Tyrrell.

A bill regulating fees on lands sold for taxes.

A bill authorizing the county court of Humphreys county to lay a tax to repair the court house of said county and to build a bridge across Cypress creek.

A bill authorizing clerks to issue commissioners to take depositions.

A bill for the benefit of Mark E. Duncan.

A bill authorizing Moses Fisk to open a turnpike road.

A bill for the relief of Alice S. Wilson.

A bill to incorporate the town of Memphis.

A bill for the relief of Pollard Wisdom and others.

A bill to amend an act entitled an act to incorporate the town of Nashville.

A bill to authorize a lottery to improve the cany fork river.

A bill to authorize a lottery in the county of Henderson.

A bill to incorporate Bolivar academy, and

A bill to restore William Hewett to the privileges of citizenship.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to provide for defraying the expenses of re-

moving the public property and records from Murfreesboro to Nashville.

A bill to authorize a lottery to build a masonic hall in Knoxville.

A bill to authorize a lottery for the benefit of Richard Jones jun'r.

A bill for the relief of Jason Thompson.

A bill authorizing William Forbean to extend his mill dam.

A bill for the benefit of Isaac Jones.

A bill to establish a 3d battallion in the 9th regiment of militia.

A bill to amend the practice in chancery suits.

A bill to appoint a commissioner for the town of Newport.

A bill to authorize a lottery to enable Jeremiah Dial and others to make salt in Bedford county.

A bill to provide for building a jail in Montgomery county, and

A bill authorizing the county court of Gibson to lay a tax and for other purposes,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill authorizing a deed of conveyance to be registered.

Was read a third time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill for the relief of the clerks of Washington & Smith counties.

Was read a second time, amended on motion of Mr. Camp, and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to facilitate the navigation of Big Hatchie river,

Was taken up by the house.

Mr. Huling made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of this house was rejected.

A bill for the relief of Ambrose Powell,

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill for the relief of Allen D. Gentry,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill to amend the laws relative to working on roads,

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

A bill to alter the names and make legitimate the persons therein named.

Was read a second time amended on motion of Mr. Hardin, and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill authorizing the granting of letters of administration in certain cases and the probate of instruments of writing in the recess of court;

Was read a second time.

Mr. Fletcher made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of this house was rejected.

A bill to amend an act entitled an act to incorporate the town of Knoxville,

Was read a second time, amended on motion of Mr. Frazier, and passed.

Ordered, that the clerk do carry the said bill to the senate.

The house took up,

A bill for the relief of sundry citizens of Hawkins and Sullivan counties and for other purposes.

Mr. Thomas made a motion to re-instate the section authorizing George M. Fall to exhibit his wax figures without license.

And the question being taken thereon,

It passed in the affirmative.

The said bill was then read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill for the benefit of Sena Grubbs,

Was read a third time, amended on motion of Mr. Thomas, and passed.

Ordered that the clerk do carry the said bill to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate concur in the resolution of this house referring sundry grants therein mentioned for adjudication.

And then he withdrew.

The house took up,

A bill regulating the duty of the clerks and sheriffs in receiving and counting the votes for or against the call of a convention at the next general elections.

Mr. Camp made a motion to amend the bill by striking out the second section, for the purpose of inserting in lieu thereof a section providing a rule by which the clerks and sheriffs should be governed

in collecting the votes and astertaining whether a voter, was for or against the call of a convention.

A division of the question was demanded by the house.

And the question being first stated:

Will the house strike out the second section of said bill.

It was determined in the affirmative.

The question then recurred, on **Mr.** Camp's amendment.

And being taken,

It passed in the negative.

Yeas 16, Nays 22.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Batson,	Mr. Speaker Brady,
Balch,	Brabson,
Buchanan,	Cheatham,
Camp,	Desha,
Crisp,	Douglass,
Fletcher,	Dulaney,
Frazier,	Hardin,
Gibbs,	Hope,
Graham,	Kelly,
Huling,	McAlister,
Kincaid,	McFarland,
Lytle,	McClain,
Martin,	McIver,
Moore,	Massengill,
Thomas, &	Parsons,
Thompson,—16.	Reneau,
	Stuart,
	Tipton,
	Tunnell,
	Turney,
	Williamson and
	White—22.

The said bill was then read a second time and passed,

Ordered that the clerk do carry the said bill to the senate.

Ordered, that Mr. Reneau have leave to withdraw for amendment,

A bill to alter the lines between the counties of Jefferson and Knox.

On motion of Mr. Fletcher,

Ordered, that a bill to prevent the depreciation of Nashville Bank paper in the hands of the people of this state, be made the order of the day for to-morrow morning.

On motion of Mr. Buchanan,

Ordered, that Mr. Perkins have leave of absence from the service of this house, for the ballance of the session.

And then the house adjourned

TUESDAY, DECEMBER 5th, 1826.

Mr. Massengill presented the clerk's return of captains, companies and justices of the peace in Grainger county.

Ordered that said return lie on the table.

The speaker laid before the house a letter of Martha Cunningham detailing her wrongs, suffering and grievances.

Ordered, that said letter lie on the table.

Mr. Fletcher from the committee for enrolled bills, reported an act to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of little Tennessee river.

An act to exempt the Mount Pleasant meeting house land from taxation.

An act to incorporate the town of Somerville.

An act for the relief of Rachel Houston and others.

A resolution referring the grants therein named, &

A resolution appointing justices of the peace for White county truly enrolled.

The speaker signed the said bills.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Moore from the committee on internal improvements, reported a bill to authorize Nathan Haggard and James M'Kinley to open a turnpike road.

And, a bill for the benefit of Frederick A. Ross of Hawkins county,

Which bills were severally read the first time and passed.

Mr. Camp from the committee of propositions and grievances reported, a bill for the relief of John Parks jun'r.

Which bill was read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

Mr. Frazier introduced

A resolution referring Hutchisons and Donelsons grants, for adjudication.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled, an act to provide for defraying the expense of removing the public property and records from *Murfreesboro* to Nashville.

An act for the payment of $500 each to John Haywood and Robert L. Coobs.

An act to authorize a lottery to build a masonic hall in Knoxville.

An act to amend an act entitled an act to fix permanently the seat of justice in Harden county.

An act to authorize a lottery for the benefit of Richard Jones jun'r.

An act to etitle persons to receive pay who are summoned as garnishees.

And a resolution for the relief of Joseph Porter & others.

The senate concur in the resolution of this house appointing justices of the peace for the county of Davidson.

Also in your resolution for the relief of Thomas Spraggins.

Also in your resolution appointing justices of the peace for the counties of Marion and Lincoln.

Also in your resolution requiring the secretary of state to furnish titles and substance of public acts to the printer and that 2400 copies thereof be printed.

The senate have passed a resolution for the relief of P. I. Curle.

Also a resolution requiring the register to correct an error in grant 23223.

Also a resolution appointing Thomas J. Read a justice of the peace for the county of Davidson.

Also the following preamble and resolution.

"Whereas the people of the state of Tennessee, are sensible of the many valuable and important services rendered as well to this state as to the county generally by Major General William Carroll.

Therefore, resolved by the general assembly of the state of Tennessee, that they are duly impressed with a sense of the fidelity and zeal with which he has on all occasions, exerted himself to defend the interest and preserve the honor of his country in its greatest peril.

Resolved, that in the prosecution and termination of the creek war, and the battle of the 8th of January, the able and efficient aid rendered by him to the commanding general, on those ever memorable occasions, there is every thing for approval and for which his countrymen delight to reward him.

Resolved, that the secretary of state be and he

hereby is directed at the expence of the state to procure and deliver to Major General William Carroll, a Sword with suitable engravings thereon, as a testimonial of the high respect entertained by the state of Tennessee for his public service."

In which several resolutions the senate ask the concurrence of this house.

And then he withdrew; when,

The speaker signed the several enrolled bills mentioned in the senate's message.

Ordered, that the clerk deposit the said bills in the office of the secretary of state.

The house took up the senate's resolutions for the relief of P. I. Curle.

The correction of grant 23223 and appointing Thomas J. Read a justice of the peace for the county of Davidson.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

The house took up the senate's resolution presentiag Major General William Carroll, with a sword for distinguished services rendered by him to his country.

And the question being taken thereon,

It passed unanimously in the affirmative,

Ordered, that the clerk acquaint the senate therewith.

The house proceeded to the order of the day and took up the bill to prevent the depreciation of the Nashville Bank paper, in the hands of the good people of this state.

Mr. Fletcher made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the negative.

Yeas 5, Nays 32.

The yeas and nays being demanded by the constitational number of members.

Those who voted in the affirmative are	Those who voted in the negative are,
Mr. Crisp,	Speaker Brady,
Fletcher,	Batson,
Gibbs	Brabson,
Kincaid, &	Buchanan,
McAlister—5.	Camp,
	Cheatham,
	Desha,
	Douglass,
	Dulaney,
	Frazier,
	Graham,
	Hardin,
	Hope,
	Huling
	Kelly,
	Lytle,
	McFarland
	McGlain
	McIver,
	Martin,
	Massengill,
	Moore,
	Parsons,
	Reneau
	Stuart,
	Thomas,
	Thompson,
	Tipton,
	Tunnell,
	Turney,
	Williamson and
	White—32.

And so the house refused to lay the said bill on the table indefinitely.

Whereupon:

The said bill was read the first time, when

Mr. Huling offered an amendment thereto,
And debate arising thereon,
Mr. Crisp called for the previous question,
Which being demanded by a majority of the members present,

The said previous question was put in the form prescribed by the rules and orders of the house, to wit:

"Shall the said question be now put?"

It passed in the affirmative.

The main question was now stated from the chair?

"Will the house agree to the amendment offered by the member from Montgomery?"

It was determined in the affirmative.

The question was then stated:

Shall the said bill pass as amended?

It was determined in the affirmative.

Ordered that the clerk do carry the said bill to the senate.

Mr. Thomas introduced

A resolution referring certificate 6709 and warrant 3124 for adjudication.

And the question being taken thereon,

It passed in the affirmative.

Mr. Brabson introduced

A resolution appointing George Sharp, Jacob Shoepman & Reuben Dickens justices of the peace for the county of Campbell?

And the question being taken thereon,

It passed in the affirmative.

Mr. Camp introduced

A resolution referring grants 116 and 3259 for adjudication.

And the question being taken thereon,

It passed in the affirmative.

Mr. McClain introduced

A resolution referring sundry grants therein named for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

Mr. Huling made a motion to suspend the eighth rule for the government of the house.

And that the house do reconsider the vote taken on yesterday upon the bill authorizing a deed of conveyance to be registered.

And the question being taken thereon,

It passed in the affirmative

And so the house reconsidered the vote taken upon the said bill. And

Ordered that said bill lie on the table.

And then the House adjourned.

WEDNESDAY, DECEMBER 6, 1826.

Mr. Brabson presented

A memorial of sundry inhabitants of Hawkins and Claiborne counties, praying to be remunerated a sum of money expended in transporting a prisoner from Wilkesborough, N. Carolina, to Claiborne county, Tennessee.

Ordered that said memorial be referred to the committee of claims.

Mr. Gibbs presented

A memorial of the president and directors of the Nashville Bank, praying the passage of a law authorizing them to dispose of the real property belonging to said bank by lottery.

Ordered that said memorial be referred to the joint select committee on the Nashville Bank.

Mr. Huling from the committee for enrolled bills, reported

An act to amend an act to revise the militia laws of this state,

A resolution for the relief of Thomas Spraggins,

A resolution referring certain military warrants, and

A resolution appointing justices of the peace for Marion, Lincoln and Davidson counties, truly enrolled.

The speaker signed the said bills and resolutions.

Ordered that the clerk do carry the said bill and resolution to the senate.

A bill for the relief of Charles McCormick,

A bill to authorize Jessee Lincoln to open a turnpike road,

A bill for the benefit of John P. Dix,

A bill for the benefit of the corporations of Blountsville and Kingsport.

A bill to incorporate the town of Covington, and

A bill for the benefit of Mark P. Duncan,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled

An act to amend the practice in chancery suits,

An act to appoint a commissioner for the town of Newport,

An act to provide for building or repairing a jail in Montgomery county,

An act to authorize a tax to build a jail & court house in Gibson county,

An act for the benefit of citizens of Hawkins and Sullivan counties,

An act for the benefit of Jason Thompson,

An act to authorize William Forbeau to continue his mill dam, and

An act for the benefit of Isaac Jones of Knox county.

The senate concur in your resolution appointing

Robert Tunnell a justice of the peace for the county of Knox,

Also in your resolution referring Hutchison's and Donelson's grants,

The senate have passed

A resolution referring grant no. 583 for adjudication.

I am directed to deliver to this house a report from the treasurer of West Tennessee, in obedience to a resolution of the general assembly passed on the fourth instant.

And then he withdrew, when

The speaker signed the several enrolled bills mentioned in the senate's message.

Ordered that the clerk deposit the said bills in the office of the secretary of state.

The house took up the senate's resolution referring grant 583.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Whereupon:

The report of the treasurer of West Tennessee was read at the clerk's table.

From which it appeared that

The said treasurer has received from the treasurer of East Tennessee for the principal of academy money up to this time, $12191,78¼

Purchased stock in Nashville Bank,	7350,00
Loaned to Thomas Watson,	1850,00
Deposited in the bank of the state,	2500.00
Yet on hand of principal,	491,78¼
	$12191,78¼

Received of the treasurer of East Tennessee for interest of academy monies, 7230,28¾

Interest on stock in the Nashville Bank up to Jany. 1, 1826, 2887,50.

$10117,78¾

Paid to sundry county academies, (see journal of

1825; page 193)	$1250.75
Deposited in the bank of the state,	6500.00
Remaining in the Nashville Bank,	2101,23
In the hands of the treasurer do.	265 80¾
	$10717,73¾

The county of Rutherford formerly received 500 dollars by special act of assembly, not here charged. $500

Nashville, Decr. 5, 1826

Signed

THOMAS CRUTCHER. T. W. T.

Ordered that said report lie upon the table.

Mr. Reneau returned

A bill to alter the line between the counties of Jefferson and Knox, and

Made a motion to lay the said bill on the table indefinitely,

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of this house was rejected.

A bill authorizing a well to be dug in the town of Lawrenceburg,

A bill authorizing suits to be brought against one of several executors or administrators.

A bill supplemental to an act to establish offices for receiving entries for vacant land s. & w. of the reservation line.

A bill to encourage domestic manufactures,

A bill for the relief of Micajah L. Armstrong and Samuel Turney,

A bill to authorize George and Stephen Reed to retail certain articles of merchandize without license,

A bill to establish the lines between the counties of Bledsoe and White,

A bill to authorize Jessee Savage to open a turnpike road,

A bill to amend an act entitled an act authorizing

John Brabson to build a mill dam in French Broad river,

A bill for the relief of Frederic A. Ross,

A bill to revive an act entitled an act for the benefit of Charles and Valantine Sevier,

A bill prescribing duties to clerks and trustees,

A bill for the relief of the Murfreesborough Centinels,

A bill for the relief of Jessee Williams,

A bill for the relief of the Nashville Bridge Company and

A bill for the relief of those citizens in the Hiwassee District who are sued by Indian reservees.

Were severally read a second time and passed.

Ordered that the clerk do carry the said bills to the senate.

Mr. Douglass introduced

A resolution appointing Robert Marshall, James Odel, James Campbell, Hiram Millsop, Robert Richardson and David Beatty justices of the peace for the county of Fentress.

John Wheeler, Dempsey Moore and Robert Winton justices of the phace for the county of Overton.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

On motion of Mr. Turney,

The house took up the senate's resolution fixing on a day for the adjournment of the general assembly.

Mr. Buchanan made a motion to fix upon Saturday next.

Mr. Fletcher made a motion to lay the said resolution on the table until Friday next, which motion having prefference.

And the question being taken thereon,

It passed in the affirmative.

Yeas 20, Nays 16.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Buchanan,
Batson,	Camp,
Balch,	Desha,
Brabson,	Douglass,
Cheatham,	Dulany,
Crisp,	Graham,
Fletcher,	Huling,
Frazier,	Lytle,
Gibbs,	M'Clain,
Harden,	Massengill
Hope,	Moore,
Kelly,	Tipton,
McAlister,	Tunnell,
McFarland,	Turney,
M'Iver,	Williamson and
Martin,	White—16
Parsons,	
Reneau,	
Stuart, &	
Thompson—20.	

And so the said resolution was laid on the table until Friday.

A bill authorizing the laying off the town of Shippensburg.

A bill for the relief of Jordan Harriss.

A bil for the relief of John Keenon.

A bill to authorize the county court of Humphreys to lay a tax to repair the court house and build a bridge across Cypress creek.

A bill for the relief of Samuel M'Connell.

A bill to appoint additional trustees for east Tennessee college, and

A bill revising and amending the laws prohibiting

the introduction of slaves into this state as articles of merchandize,

Were severally read a third time and last time passed and ordered to be engrossed,

A bill for the benefit of Noah Parker.

A bill for the benefit of Samuel M'Kamey.

A bill to incorporate Mount Cumberland Academy.

A bill to amend the act incorporating the town of Nashville.

A bill authorizing a certain deed of conveyance to be registered,

A bill explanatory of an act passed at the present session of the general assembly.

A bill to enlarge the provisions of an act entitled an act to authorize the drawing of a lottery in the counties of Dixon and Montgomery.

A bill authorizing the drawing of a lottery in the county of Henderson.

A bill to legalize the official acts of John Bricker.

A bill to repeal an act for the relief of owners of town lots in the town of Alexandria, and

A bill for the relief of the devisees of Walter Sims deceased.

Were severally read a third time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bill for the relief of Dempsey Adair.

A bill to authorize a lottery to build a bridge across Cypress creek.

Were severally read the first time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of James Bradford sheriff of Jefferson county,

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 20, Nays 17.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Balch,
Batson,	Camp,
Brabson	Cheatham,
Dulany,	Crisp,
Fletcher,	Deshn,
Gibbs,	Douglass,
Hardin	Frazier,
Hope,	Graham,
Kelly,	Huling,
Kincaid,	McAlister,
Lytle,	Massengill,
McFarland,	Moore,
McClain,	Thompson,
McIver,	Tunnell,
Martin,	Turney,
Parsons,	Williamson &
Reneau,	White—17.
Stuart,	
Thomas &	
Tipton—20.	

Ordered, that the clerk do carry the said bill to the senate.

A bill to amend the act incorporating the town of Knoxville,

Was read a third time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bill was rejected.

Mr. Gibbs introduced

A resolution referring certain land claims therein mentioned for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolu-

tion to the senate and ask their concurrence therein.

The house took up the senate's amendment to a bill to compel entry takers to pay over monies and for other purposes.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

A bill to repeal the law appointing two additional judges to the court of errors and appeals,

Was read the first time, amended on motion of Mr. Kincaid, and passed.

Ordered that the clerk do carry the said bill to the senate.

Mr. Huling introduced

A resolution referring sundry grants for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Kelly introduced

A resolution appointing Joseph M'Corkle, Beal Gather, Josiah Fike, Isaac Roddy, Daniel M. Stockton, Matthew Hubbert, Jonathan Collins, Ezekiel Bates, Robert Cooley, Andrew Kincannon and Thomas Price, justices of the peace for the county of Rhea.

John K. Farmer, James S. Bridges, James Senter, Stanwix Honed, Gabriel Cantrell, John Hill and Jonathan Evans justices of the peace for the county of M'Minn.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolu-

tion to the senate and ask their concurrence therein.

A bill to incorporate the subscribers to the Nashville insurance company,

Was read a third time, and amended on motion of Mr. Camp.

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 23, Nays 10.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Batson,	Mr. Speaker Brady,
Brabson,	Desha,
Buchanan,	Graham,
Camp,	M'Iver,
Cheatham,	Massengill,
Crisp,	Thompson,
Douglass,	Tipton,
Dulany.	Tunnell,
Fletcher,	Williamson and
Frazier,	White--10.
Gibbs,	
Huling,	
Kelly,	
Kincaid,	
Lytle,	
M'Alister,	
McClain,	
Martin,	
Moore,	
Parsons,	
Reneau,	
Stuart, &	
Thomas—23.	

Ordered, that the clerk do carry the said bill to the Senate,

Mr. Frazier introduced a resolution directory to the public printer,

Ordered, that said resolution lie on the table.

A bill for the benefit of Edward Durant,

Was read a second time.

Mr Hardin made a motion to lay the said bill on the table indefinitely,

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

A bill for the limitation of actions, was read a second time.

Mr. Fletcher made a motion to lay the said bill on the table indefinitely.

And the question being taken thereon,

It passed in the affirmative.

And so the said bill by operation of a rule of the house was rejected.

And then the house adjourned.

THURSDAY, DECEMBER 7, 1826.

Mr. Fracier presented a memorial of the Commissioners appointed by the counties of Cocke, Jefferson and Knox on internal improvements:

Which was read at the clerk's table and ordered to be sent to the Senate.

Mr. Fletcher, from the committee of enrolled bills, reported

An act for the relief of John Keenan,

An act to authorize the laying off the town of Shippensburg,

An act to appoint additional Trustees for East Tennessee College,

An act for the benefit of Samuel M'Connell,

A resolution appointing Justices of the peace for Knox county, and

A resolution referring Hutchison's & Donaldson's Warrants, truly enrolled.

The Speaker signed the said bills and resolutions.

Ordered, that the clerk deposit the said bills and resolutions in the office of the Secretary of State.

A message from the senate by Mr. Dance their clerk.

Mr. Speaker:

The speaker of the Senate did this day sign enrolled bills entitled

An act to authorize a Lottery to raise money to make salt in Bedford county,

An act to compel entry takers to pay over monies,

An act for the benefit of Sena Grubb, and

A resolution appointing justices of the peace for Hickman, Tipton and Davidson counties.

The Senate concur in the resolution of this house referring certificate 6709 and warrant 3124,

Also, in the resolution of this house appointing justices of the peace for the counties of Campbell Overton and Fentress.

The Senate non-concur in the resolution of this house, referring sundry grants therein named for adjudication.

I am directed to deliver to this house a report from the President and Cashier of the Bank of the State of Tennessee, of monies in East and West Tennessee, for and on account of Common Schools, made in obedience to a resolution of the General Assembly of the

And then he withdrew—when

The Speaker signed the several enrolled bills mentioned in the Senate's message.

Ordered, that the clerk deposit the said bills in the office of the Secretary of State,

On motion of Mr. M'Clain,

Ordered, that a message be sent to the Senate insisting on a concurrence in the resolution of this house, referring sundry grants therein mentioned for adjudication:

Whereupon,

The report of the Cashier of the Bank of the State

of Tennessee was read at the clerk's table, as follows:

Statement of monies received by the "Bank of the State of Tennessee," in East and West Tennessee, for and on account of Common Schools.

mount received in West Tennessee,	$61,300 60
Amount distributed in W. Tennessee,	50,000 00
Amount on hand in West Tennessee,	11,300 00
Amount of interest rec'd. in W. Tennessee,	1,880 77
Amount received in East Tennessee,	$37,083 90
Amount distributed in E. Tennesssee,	30,326 50
Amount on hand in East Tennessee,	6,757 40
Amount of interest rec'd. in E. Tennessee,	1,181 83
Taxes received in W. Tennesse on School Lands,	$153 93
do do in East Tennessee,	51 90
Grand total, $98,384 50 received,	
Am't. distrib. 80,326 50	
Am't. on hand, 18,058 00	
Am't. of interest rec'd. 3,268 43	

JOEL PARRISH, *Cashier.*

By C. COOPER, *Clerk.*

Ordered, that said Report lie on the table.

A bill for the relief of John Parks, jr.

A bill for the relief of the person therein named,

A bill to authorize Matthew W. Wright to build a bridge,

A bill to direct the payment of Commissioners under an act of 1821.

A bill to authorize Nathan Haggard and James M'Kinley to open a Turnpike road,

A bill for the relief of Philip Maury,

A bill for the relief of Agness Jennings,

A bill to repeal an act entitled an act to extend the town of Gallatin,

A bill to incrporate Memphis in the county of Shelby,

A bill to make lawful, grants and entries made within five miles of the falls of Caney Fork,

A bill for the relief of Wilson Cage,

A bill to authorize Michael Reid and Franklin Whitaker to build a Mill and Cotton Gin on Cub creek,

A bill to amend the 1st section of an act to empower the county court of Bedford to appoint Commissioners to superintend the building a bridge over Duck river.

A bill for the benefit of Andrew Crockett,

A bill for the relief of Anthony N. Montgomery,

A bill to extend a due administration of justice to execution creditors,

A bill to establish the town of Russellville in the county of Jefferson,

A bill to authorize George Sharp and others to build a fish trap,

A bill to repeal part of an act authorizing Reuben Ross to build a bridge across the caney fork,

A bill concerning the public highways of Tipton county,

A bill to authorize John Brown and Robert Burke to open a turnpike road,

A bill for the relief of Robert Craig,

A bill for the relief of Richard Belcher, and

A bill for the relief of the heirs of John Weems,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill to apply the navigation tax of the counties of Weakley and Obion for the purpose of cutting roads and making bridges,

A bill for the relief of Pollard Wisdom and others,

A bill to authorize a rifle company in the 14th and 95th regiments of T. M.

A bill for the relief of John Pritchett,

A bill for the relief of Marius Oury.

A bill to prescribe the duty of the Commissioners

south and west of the congressional reservation line in reporting taxable property,

A bill for the relief of Charles M'Cormick,

A bil to legitimate Eliza Guy,

A bill to amend an act to revise the militia laws of this state,

A bill for the relief of Robert Guilet,

A bill to authorize Wyly Ledbetter to peddle without license,

A bill for the relief of Francis Moore,

A bill concerning mill dams which have been unlawfully built across Elk river,

A bill to alter the time of holding the Greenville chancery court,

A bill for the relief of John Tilford and others,

Were severally read a third time and passed.

Ordered that the clerk do carry the said bills to the senate.

A bi ll to alter the time of holding the courts therein mentioned,

A bill for the relief of William Philips,

A bill for the relief of Abram P. Maury and John Fitzgerald,

A bill to establish an academy at Covington in the county of Tipton,

A bill to allow writs of certiorari and supersedea from justices judgments to the circuit courts,

A bill for the relief of Christopher Brooks, and

A bill to revive an act entitled an act for running the lines between the counties of Overton and Jackson,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of Reuben and James N. Smith,

A bill authorizing a lottery for improving the navigation of caney f rk,

A bill to authorize Jessee Lincoln to open a turnpike road,

A bill for the relief of Nancy W. Carver,

A bill to incorporate the Hiwassee canal company, and

A bill to legalize the official acts of the justices of the peace therein mentioned,

Were severally read a third time and last time, passed and ordered to be engrossed.

A bill prescribing the duty of justices of the peace in issuing warrants for sums of twenty dollars,

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to make it lawful for householders to view and make roads,

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to provide for the estate of deceased persons,

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill for the relief of Robert Dixon, administrator of Patrick O'Callaghan,

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to amend an act entitled an act to procure a revisal of the public statutes of the state,

Was read a second time.

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill more effectually to prohibit tipling houses,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to provide for the registration of grants and deeds of conveyance,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
A bill for the relief of the minor heirs of John Peacock, deceased,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
A bill directing the manner of loaning the money of the Bank of the State of Tennessee,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative:
A bill for the benefit of Ephraim Maxwell,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
A bill for the relief of sheriff's, coroners and constables,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative:
A bill to furnish Scott's Revisal to clerk's of the chancery court,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
A bill to authorize assignments of entries to be proven in particular cases,
Was read a second time.
And the question being stated:
Shall the said bill pass?

It was determined in the negative.

A bill to compel the clerk's of the county and circuit courts to enrol all cases at law,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to authorize Charles I. Love to open a turnpike road,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to authorize a loan of $5000 to Henry Beedleman.

Was read the first time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bills were severally rejected.

Mr. Crisp introduced a resolution for the relief of Daniel M'Intire.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Thompson introduced a resolution referring sundry grants for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

Mr. Hardin introduced

A resolution appointing James Thompson, Isham Cherry, Jeremiah Jones, and Anthony Wayne Pope

Russell justices of the peace for Harden county, &

Mr. Crisp introduced

A resolution appointing Samnul McDavid a justice of the peace for Fayette county.

And the question being severally taken on agreeing to said resolutions,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolutions to the senate and ask their concurrence therein.

A bill to make good all grants issued by the state of North Carolina on entries and warrants made west of Brown's line,

Was read a second time and passed.

Ordered, that the clerk do carry the said bill to the senate.

And then the house adjourned.

FRIDAY, DECEMBER 8, 1826.

Mr. Fletcher from the committee for enrolled bills reported

An act to legalize the official acts of justices of the peace therein mentioned,

An act for the relief of Jourdan Harris and others,

An act to authorize Jessee Lincoln to open a turnpike road,

An act for the relief of Nancy W. Carver of Wilson county,

An act revising and amending the laws prohibiting the introduction of slaves into this state as articles of merchandize,

An act to authorize the county court of Humphreys county to lay an additional tax to repair the court house of said county, and to build a bridge across Cypress creek,

An act for the relief of Reuben Smith and James N. Smith,

A resolution appointing justices of the peace for the counties therein named, and

A resolution referring land claims therein named for adjudication.

The speaker signed the said bills and resolution.

Ordered that the clerk do carry the said bills and resolutions to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The senate concur in the resolution of this house appointing justices of the peace for the counties of Rhea, McMinn, Hardin and Fayette,

Also in your resolution referring certain land claims for adjudication,

Also in your resolution referring sundry grants for adjudication.

Also in your resolution for the relief of Daniel M'Intyre.

The senate have passed a resolution directing the register of West Tennessee to issue certificates therein named

And a resolution referring grant 3695 for adjudication.

In which resolutions the senate ask the concurrence of this house.

And then he withdrew, when

The house proceeded to consider the resolutions mentioned in the senate's message.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

On motion of Mr. Crisp,

The house took up the senate's resolution fixing on a day for the adjournment of the general assembly.

Mr. Turney made a motion to insert the words "Monday next" in said resolution.

And the question being taken thereon,

It passed in the affirmative.

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The question was then stated:

Will the house concur in said resolution as amended?

And it was determined in the affirmative.

Whereupon, Mr. McAlister was appointed a committee on said resolution.

Ordered, that the clerk acquaint the senate therewith.

Mr. Hope introduced

A resolution appointing William L. Brown, Alexander Dugger, Isaac Eblin and Benjamin Longacre jr. justices of the peace for the county of Roane, & Samuel Scott a justice of the peace for the county of Morgan.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the Senate and ask their concurrence therein.

The house took up the senate's resolution appointing John Hill a justice of the peace for the county of Grainger.

Mr. Massengill made a motion that the house do disagree to the said resolution.

And the question being taken thereon,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Mr. Massengill introduced a resolution appointing John Chesney, William Haynes, Owen Dyer, John Jarnagin jr. Stephen Hawkins and Eli Clark justices of the peace for the county of Grainger.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Graham introduced a resolution appointing

William C. Hampton a justice of the peace for the county of Jackson.

And the question being taken on agreeing thereto.

It passed in the affirmative.

Ordered that the clerk do carry the said resolution to the senate and ask their concurrence therein.

Mr. Massengill introduced a resolution that the two houses assemble in the representative hall at 12 o'clock on to-morrow for the purpose of electing a surveyor for Grainger county.

And the question being taken on agreeing thereto,

It passed in the affirmative;

Ordered that the clerk ask the concurrence of the senate to said resolution.

Mr. Fletcher introduced a resolution referring certain grants for adjudication.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk ask the concurrence of the senate in said resolution.

A bill for the benefit of Jacob Sitgraves and Neil Hudson.

A bill to diminish costs in suits.

A bill to authorize Reuben Ross to enter certain lands.

A bill to amend an act entitled an act to incorporate a company for opening a turnpike road from Nashville to Columbia.

A bill for the relief of C. F. M. Goodrum.

A bill for the relief of Andrew Taylor.

A bill for the relief of Securities in certain cases.

A bill making an appropriation of money to defray the expenses of the second session of the 16th general assembly.

A bill to prevent nuicences to the water courses in this state.

A bill to amend an act to compel coroners, sheriffs

and other officers to pay over money when collected.

A bill to amend an act entitled an act to improve the navigation of Wolf river.

A bill for the benefit of Thomas M'Bath.

A bill for the relief of Robert Officer and Thomas H. Francher.

A bill for the relief of Banks M. Burrow of Carroll county.

A bill to authorize the county court of Overton to lay a tax for certain purposes.

A bill for the relief of John Montgomery of Blount county.

A bill to give further time to make entries on lands north and east of the congressional reservation line.

A bill supplemental to an act entitled an act to authorize Crispen E. Shelton, Charles Gamble and John Witt to open a turnpike road.

A bill requiring security to be given in suits by motion.

A bill for the benefit of James Walker.

A bill to authorize Matthew English to open a turnpike road.

A bill directory to the judge holding the circuit court of Greene county.

A bill for the benefit of Common schools.

A bill to establish separate elections in the county of Greene.

A bill to authorize the payment of certain expenses.

A bill for the relief of Robert L. Cobbs and others.

A bill to amend the registration laws.

A bill for the relief of William Gann of Perry county, and

A bill to authorize the drawing of a lottery to build a bridge over Cypress creek in Humphreys county,

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill regulating the mode of taxing lots in the town of Milton.

A bill to amend an act supplemental loan act entitled an act to settle the claims of N. Carolina and for the benefit of Occupants of the Western District.

A bill to change the name and style of the Centreville blues.

A bill to revive an act for the relief of Valantine and Charles Sevier.

A bill to authorize clerks to issue commissions.

A bill to legalize the official acts of William Terrell a justice of the peace for Obion county.

A bill authorizing a resurvey of Overton county.

A bill to amend an act directing the registers in this state to correct errors in grants.

A bill to authorize James and Alexander Street to build a mill on Duck river.

A bill to authorize Moses Fisk to open a turnpike road.

A bill for the relief of the sheriff of Carroll county and for other purposes.

A bill concerning costs in certain cases.

A bill for the relief of the securities of the entry taker of Stewart county.

A bill for the benefit of Isaac and Elizabeth Pearce, and

A bill to alter the times of holding the courts therein mentioned,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled an act to repeal an act for the relief of owners of lots in the town of Alexandria.

An act for the benefit of Samuel M'Amey.

An act for the relief of Walter Sims deceased.

An act for the relief of Pollard Wisdom and others.

An act authorizing a certain deed to be registered.

An act to alter the time of holding the chancery court in Greenville.

An act for the relief of Marius Oury.

An act to legalize the official acts of John Bricker deputy sheriff of Washington county.

An act for the relief of John Pritchett and for other purposes.

A resolution requiring the register to correct an error in grant 23223.

A resolution for the benefit of P. J. Curle, and

A resolution directing a sword to be procured and presented to Major General William Carroll.

The senate concur in your resolution appointing William C. Hampton a justice of the peace for Jackson county.

Also in your resolution appointing justices of the peace for the countries of Roane, Morgan and Grainger except appointing Eli Clark a justice of the peace for Grainger county to which the senate disagree.

And insist upon the appointment of John Hill a justice of the peace for the said county of Grainger.

The senate concur in your resolution to elect a surveyor for Grainger county on to-morrow, and propose to elect an entry taker for Rutherford county at the same time, and ask your concurrence therein.

The senate concur in the day fixed on by this house for the adjournment of the general assembly.

The senate have passed a resolution directing that Cornelius Slater and James M'Dowell Doorkeepers be appointed jointly to take care of the public property belonging to the two houses of the general assembly until the next session, also a resolution tendering the thanks of the general assembly to the owners of the masonic hall in the town of Nashville, for the use of the rooms in said hall, at the present session, in which resolutions the senate ask the concurrence of this house.

And then he withdrew.

A bill to regulate the sitting of the courts in the western district,

Was read the first time and passed.

Ordered, that the clerk do carry the said bill to the Senate,

A bill for the relief of James Reynolds of Shelby county.

A bill for the relief of Alice S. Wilson.

A bill to regulate the duty of clerks and sheriffs in receiving the votes for or against a convention, and

A bill to incorporate the Bolivar Academy, were severally read a third time and last time passed and ordered to be engrossed.

A bill requiring certain duties of the solicitors general,

*W*as read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill for the relief of Patrick *W*eigher,

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative,

A bill directing the duties of notaries public, was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to repeal the second section of an act passed in 1817 authorizing courts of justice to tax defendants with costs,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill for the relief of regular ministers of the gospel.

*W*as read a second time,

And the question being stated:
Shall the said bill pass?
It was determined in the negative.

A bill to prevent suitors in the county or circuit courts from being jurors,
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.

A bill to compel plaintiffs to give defendants their proper credits.
Was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.

A bill to amend an act entitled an act regulating the fees of justices of the peace, was read a second time,
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
And so the said bills were severally rejected.

A bill to repeal the laws now in force in this state authorizing a change of venue, was read a second time.
And the question being stated:
Shall the said bill pass?
It was determined in the negative.
Yeas 16, Nays 17.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Batson,
Buchanan,	Brabson,
Camp,	Fletcher,
Cheatham,	Hardin,
Desha,	Hope,
Douglass,	Kelly,
Dulany,	Kincaid,

Gibbs,
Graham,
Huling,
Lytle,
M'Iver,
Martin,
Thomas,
Turney, &
White—16

McAlister,
M'Clain,
Moore,
Parsons,
Reneau,
Stuart,
Thompson,
Tipton,
Tunnell, &
Williamson—17

And so the said bill was rejected.

A bill to prevent any person from removing a civil action from one county to another without giving security for costs.

Was read the first time and passed.

Ordered, that the clerk do carry the said bill to the senate.

A bill to suspend the sale of school lands and collect rents, was read a third time.

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 18, Nays 13.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are

Mr. Speaker Brady,
Batson,
Brabson,
Camp,
Cheatham,
Crisp,
Dulany,
Gibbs,
Graham,
Hardin,
Huling,
M'Alister,
M'Iver,

Those who voted in the negative, are

Mr. Buchanan,
Douglass,
Fletcher,
Frazier,
Hope,
Kelly,
Kincaid,
Lytle,
Moore,
Parsons,
Reneau,
Thompson,
Tipton &

Massengill, Turney—13.
Stuart,
Thomas
Williamson &
White—18.

Ordered, that the clerk do carry the said bill to the senate.

The house took up the bill to prevent the depreciation of the Nashville Bank paper in the hands of the people of this state.

Mr. Fletcher made a motion to postpone the said bill indefinitely.

And the question being taken thereon,

It passed in the negative.

When sundry amendments were offered to the said bill and severally disagreed to by the house.

Whereupon:

Mr. Crisp made a motion to amend the said bill by adding thereto, an additional section in the words following—to wit:

"Be it enacted, that so soon as the directory of the Nashville Bank, shall deposit with the treasurer of West Tennessee, the sum of five hundred thousand dollars, of good solvent notes as collateral security for the redemption of all the notes of the Nashville Bank, that may be received in pursuance of the foregoing sections of this act, and of the amount now on hand, in the bank of the state of Tennessee in six, twelve, eighteen and twenty four months from the time of funding the respective amounts, and furthermore deposit in the said bank of the state, all the sound funds the said Nashville Bank has now in possession and stipulate for the payment of interest as may be provided for, and a compliance in all respects with the conditions expressed in this act, be certified by proclamation of the governor. The directory of the bank of the state of Tennessee and their agents in the several counties in this state, shall act accordingly."

And the question besng taken on ageeing to said amendment.

It passed in the affirmative.

Whereupon: *Mr.* Huling made a motion to reconsider the vote taken on the aforesaid amendment offered by Mr. Crisp.

And the question being taken thereon,

It passed in the affirmative.

Yeas 26, Nays 10.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative are	Those who voted in the negative are,
Mr. Speaker Brady,	Mr. Crisp,
Batson,	Fletcher,
Brabson,	Frazier,
*B*uchanan,	Gibbs,
Camp,	Graham,
Cheatham,	McIver,
Desha,	Martin,
Douglass,	Thompson,
Dulany,	Tipton, &
Hardin,	White—10.
Hope,	
Huling	
Kelly,	
Kincaid,	
Lytle,	
McAlister,	
McClain	
Massengill,	
Moore,	
Parsons,	
Reneau	
Stuart,	
Thomas,	
Tunnell,	
Turney, and	
Williamson—26	

The question was then again taken, on agreeing

to the aforesaid amendment offered by Mr. Crisp to the said bill.

And it was determined in the negative.

Yeas 11, Nays 24.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Buchanan,	Mr. Speaker Brady,
Crisp,	Batson,
Fletcher,	Brabson,
Frazier,	Camp,
Gibbs,	Cheatham,
Graham,	Desha,
McAlister,	Douglass,
Martin,	Dulaney,
Thompson,	Hardin,
Tipton, &	Hope,
White—11.	Huling,
	Kelly,
	Kincaid,
	McClain,
	McIver,
	Massengill,
	Moore,
	Parsons,
	Reneau,
	Stuart,
	Thomas,
	Tunnell,
	Turney, and
	Williamson—24.

And so the house disagreed to the said amendment.

Mr. Gibbs made a motion to amend the said bill by striking out the 6th section thereof, the words following—to wit:

"Be it enacted, that hereafter the renewals in the bank of the state of Tennessee, shall be made every six months instead of every three months as heretofore."

And the question being taken thereon,
It passed in the negative.
Yeas 12, Nays 24,
The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Buchanan,	Mr. Speaker Brady,
Deshu,	Batson,
Douglass,	Brabson
Gibbs,	Camp,
Huling,	Cheatham,
Lytle,	Crisp,
McAlister,	Dulany,
McClain,	Fletcher,
Stuart,	Frazier,
Thompson,	Graham,
Williamson &	Hardin
White—12,	Hope,
	Kelly,
	Kincaid,
	McIver,
	Martin,
	Massengill,
	Moore,
	Parsons,
	Reneau,
	Thompson,
	Tipton,
	Tunnell, &
	Turney—24.

Mr. Thompson now offered a lengthy amendment-in lieu of the whole bill,
Which was read:
And the question being taken on agreeing thereto,
It passed in the negative,
Whereupon:
The said bill was read a second time:
And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 27, Nays 9.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Crisp,
Batson,	Fletcher,
Brabson,	Gibbs,
Buchanan,	Graham,
Camp,	Kincaid,
Cheatham,	Lytle,
Desha,	M'Alister,
Douglass,	Parsons &
Dulany,	Tipton—9
Frazier,	
Hope,	
Huling,	
Kelly,	
McClain,	
M'Iver,	
Martin,	
Massengill,	
Moore,	
Reneau,	
Stuart,	
Thomas	
Thompson,	
Tunnell,	
Turney,	
Williamson and	
White—27.	

Ordered, that the clerk do carry the said bills to the senate.

And then the House adjourned.

SATURDAY, DECEMBER 9th 1826.

Mr. Frazier from the committee to apportion the

acts and journals of the present session of the general assembly, amongst the several counties in this state, made the following report, which was read & concurred in by the house, to wit:

	Acts.	Journals.
Anderson	30	15
Bedford	84	35
Blount	50	25
Bledsoe	34	17
Carter	34	17
Claiborne	38	18
Campbell	32	16
Cocke	32	16
Carroll	44	22
Davidson	72	30
Dickson	38	19
Dyer	30	15
Franklin	51	25
Fentress	22	10
Fayette	22	10
Grainger	46	20
Greene	46	20
Giles	65	32
Gibson	30	15
Hawkins	55	25
Humphries	40	20
Hamilton	27	13
Hickman	52	25
Henry	42	21
Hardin	32	16
Henderson	32	16
Haywood	32	16
Hardeman	35	17
Jackson	51	25
Jefferson	51	25
Knox	54	25
Lawrence	50	25
Lincoln	67	30
Monroe	48	24

	Acts.	Journals.
McMinn	60	25
Morgan	29	14
Marion	37	18
Montgomery	47	22
Maury	84	35
Madison	54	25
McNairy	32	16
Obion	30	15
Overton	29	15
Perry	38	16
Roane	51	25
Rhea	45	20
Rutherford	73	30
Robertson	50	25
Sevier	41	20
Sullivan	41	20
Sumner	70	30
Stewart	35	17
Shelby	30	15
Smith	75	32
Tipton	30	15
Warren	59	26
White	53	25
Williamson	63	30
Wayne	37	18
Wilson	65	30
Washington	45	22
Weakly	37	18.

Total amount of acts and journals that the several counties in this state are entitled to

cts 2711, Journals 1326

For each clerk of this general assembly one copy of the acts and journals, Acts 4, Journals 4

To be left at the secretary's office of the state for exchanging with other states and territories fifty copies of the acts of the present general assembly

50 Acts

For the use of the general assembly, fifty copies of the acts and twenty-five Journals

50 Acts and 25 Journals

Total amount of *Acts* and Journals

2815 Acts, & 1349 Journals

Ordered that the clerk do carry the said report to the senate.

Mr. Huling from the committee for enrolled bills, ported

An act to incorporate Bolivar academy in the coun-

An act for the relief of Jane Reynolds,

ty of Hardeman,

An act for the relief of *Alice* S. Wilson,

An act regulating the duty of clerks and sheriffs in collecting the votes for or against the call of a convention.

A resolution appointing justices of the peace for the counties therein named truly enrolled

The speaker signed the said bills and resolutions.

Ordered that the clerk do carry the said bills and resolutions to the senate.

Mr. Mc*A*lister from the committee to ascertain the expenses of the present session of the general assembly, made a report of allowances to members, clerks and doorkeepers of the present session of the general assembly.

Which was read and agreed to by the house.

Mr. Martin introduced

A resolution for the relief of *William* Clark.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk ask the concurrence of the senate in said resolution.

The house took up the senate's message of yesterday.

Mr. *Massengill* made a motion to disagree with the senate's insisting message appointing John Hill a justice of the peace for Grainger county.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

The house took up the senate's resolution directing Cornelius Slater and James M'Dowell doorkeepers to take charge of the public property belonging to the general assembly.

Mr. Crisp made a motion to amend the resolution by striking out the name of Cornelius Slater.

And the question being taken thereon,

It passed in the affirmative.

The question was then taken on agreeing to the said resolution as amended.

It passed in the affirmative.

Ordered, that the clerk acquaint the senate therewith.

Whereupon:

The question was taken on a concusrence in the balance of the senate's message.

It passed in the affirmative.

Ordered that the clerk acquaint the senate therewith.

A bill to authorize the drawing of a lottery for the benefit of the Nashville bridge company.

A bill to incorporate the town of Covington,

A bill to repeal an act for the relief of certain purchasers of land in the Hiwassee District

A bill to amend an act to authorize John Brabson to build a mill dam,

A bill to authorize George Sharp and others to build a fish trap in Powel's river,

A bill for the benefit of such persons in the Hiwassee District as are sued by Indian reservees.

A bill for the benefit of Jesse Williams,

A bill for the relief of Dempsey Odam,

A bill to authorize Matthew W. Wright to build a bridge,

A bill for the benefit of Frederic A. Ross,

A bill for the relief of the heirs of John Weems,

A bill authorizing a well to be dug in Lawrenceburg,

A bill for the relief of Abram P. Maury and John Fitzgerald, and

A bill to repeal an act to extend the town of Gallatin,

Were severally read a third time and passed.

Mr. Huling from the committee for enrolled bills reported

An act to authorize Jesse Savage and Benj. Cannon to open a turnpike road,

An act to incorporate the Hiwassee Canal Company,

A resolution providing for the issuance and adjudication of the grants and certificates therein specified, truly enrolled:

The speaker signed the said bills and resolutions.

Ordered that the clerk do carry the said bills and resolutions to the senate.

A message from the senate by Mr. Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills and resolutions entitled

An act for the relief of Elizabeth Hammond,

An act to apply the navigation tax of Weakley & Obion counties to cutting and bridging roads,

An act to authorize clerks to issue commissions to take depositions,

An act to legitimatize Eliza Gray,

An act for the relief of Robert Gullet,

An act to authorize Moses Fisk to open a turnpike road,

An act to change the name and style of the Centreville Domestic Blues,

An act to enlarge the provisions of an act authorizing lotteries in the counties of Dickson and Montgomery,

An act for the relief of Noah Parker.

An act to regulate the mode of taxing lots in the town of Milton,

An act for the relief of Charles McCormick,

An act for the relief of Neil Hutson's heirs and Jacob Sitgraves,

An act to authorize Elijah Tilford and others to hawk and peddle,

A resolution referring sundry grants, and

A resolution referring grants 3695 and 1066 for adjudication.

The senate concur in your insisting message appointing Eli Clark a justice of the peace for Grainger county.

The senate have passed a resolution that the two houses assemble in the representative's hall at four o'clock this day for the purpose of electing a fifth judge of the supreme court.

The senate concur in the resolution of this house for the relief of *William* Clark.

The senate concur in the resolution of this house appointing William L. Taylor a justice of the peace for McMinn county.

And then he withdrew; when

The speaker signed the several enrolled bills and resolutions mentioned in the senate's message.

The house took up the senate's resolution, proposing to go into the election of a fifth judge of the supreme court,

Mr. Parsons made a motion to lay the said resolution on the table until six o'clock of this day.

Mr. Reneau made a motion to lay the said resolution on the table until Monday next.

Mr. Stuart made a motion to postpone the said resolution indefinitely.

Which motion having preference,

And the question being taken thereon,

It passed in the affirmative.

Yeas 22, Nays 14.

The yeas and nays being demanded by the constitutional number of members.

Those who voted in the affirmative are	Those who voted in the negative are,
Mr. Speaker Brady.	Mr. Batson,
Brabson,	Balch,
Desha,	Buchanan,
Douglass,	Camp,
Dulany,	Cheatham,
Fletcher,	Crisp,
Frazier,	Gibbs,
Hardin,	Graham,
Hope,	Huling
Kelly,	Lytle,
M'Alister,	McClain
McIver,	Martin,
Massengill,	Turney, and
Moore,	Williamson—14
Parsons,	
Reneau	
Stuart,	
Thomas,	
Thompson,	
Tipton,	
Tunnell, &	
White—22.	

And so the said resolution by operation of a rule of the house was disagreed to.

Ordered, that the clerk acquaint the senate therewith.

A bill to repeal the law appointing a fifth judge of the supreme court.

A bill to incorporate the town of Trenton.

A bill for the benefit of Philip J. Smith.

A bill for the benefit of persons having fractions of warrants or certificates heretofore filed in the 6th surveyors district.

A bill for the benefit of George S. Jarrett.

A bill directing the manner a change of venue may be obtained.

A bill repealing an act authorizing certain papers

to be read in evidence in suits concerning reservations.

A bill to regulate the sitting of the courts in the western district.

A bill to prevent any person from removing a civil action from one county to another without giving security for costs.

A bill for the benefit of William B. Claiter.

A bill to fix permanently the seat of justice in Shelby county.

A bill for the benefit of the clerk of the circuit court of M'Minn county.

A bill to repeal the 2d section of an act entitled an act directing certain papers to be read in evidence in suits concerning reservations.

A bill to amend an act for the encouragement of Iron Works.

A bill to compel the commissioners of Huntingdon to pay over public monies.

A bill giving further time to make surveys and return plats and certificates.

A bill to regulate the duties of jailors and ameliorate the condition of prisoners.

A bill directing the officers therein mentioned to perform certain duties, and

A bill supplemental to an act entitled an act for ascertaining the method of proving book debts, passed at Newbern Dec. 12, 1754.

Were severally read a second time and passed.

Ordered, that the clerk do carry the said bills to the senate.

The hour having arrived at which the two houses were to assemble in the hall of this house, for the purpose of electing a surveyor for Grainger county and an entry taker for Rutherford county.

Ordered, that the clerk inform the senate that this house is now ready to receive them for that purpose.

Immediately after which the speaker and members of the senate assembled in this house—when,

The two houses proceeded jointly in said elections—and

Upon the first ballot,

The tellers reported,

That Harmon G. Lea had a majority of the whole number of votes given, for surveyor of Grainger county and was elected.

And that Henry D. Jamison had a majority of the whole number of votes given, for entry taker for Rutherford county and was elected.

Whereupon:

The speaker and members of the senate withdrew.

A bill to diminish costs in suits.

A bill to amend an act to authorize Crispen E. Shelton, Charles Gamble and John Witt to open a turnpike.

A bill for the relief of Robert L. Cobbs and others.

A bill to amend an act entitled an act to incorporate a company to open a turnpike road from Nashville to Columbia.

A bill for the benefit of Thomas M'Bath.

A bill to establish the town of Russellville.

A bill for the relief of Anthony N. Montgomery.

A bill directing the disposal of Academy monies.

A bill to authorize Nathan Haggard and James M'Kinley to open a turnpike road.

A bill for the benefit of Andrew Crockett.

A bill directory to the judge holding the Greene county circuit court.

A bill to authorize the payment of certain expenses.

A bill to repeal part of an act authorizing Reuben Ross to open a turnpike road.

A bill to amend an act entitled an act to provide for running the line between the counties of White, Overton and Jackson.

A bill to authorize Reuben Ross to enter certain lands.

A bill to make lawful grants and entries for lands within five miles of Cany fork.

A bill concerning the public highways of Tipton county.

A bill for the relief of John Parks.

A bill authorizing the creation of a volunteer artillery company in the town of Paris.

A bill to establish an academy at Covington in the county of Tipton.

A bill to establish the lines between the counties of White and Overton.

A bill for the relief of Philip Maury.

A bill for the benefit of John P. Dix.

A bill for the benefit of the corporations of Blountsville and Kingsport.

A bill to authorize Michael Reed and Franklin Whitaker to build a Mill and Cotton Gin on Cub creek.

A bill requiring security to be given in suits by motion, and

A bill to authorize John Brown and Robert Burke to open a turnpike road,

Were severally read a third time and passed.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the relief of Robert Craig.

A bill for the relief of Richard Belcher.

A bill to authorize Jesse Savage to open a turnpike road.

A bill authorizing suits to be brought against several executors or administrators.

A bill to prevent nuisances in the water courses of this state.

A bill for the relief of William Philips late sheriff of Hickman county.

A bill for the benefit of William Gann.

A bill for the relief of securities in certain cases.

A bill for the benefit of common schools.

A bill for the relief of Banks M. Burrow.

A bill to authorize a lottery for the purpose of

building a bridge across Cypress creek in Humphreys county.

A bill to authorize the county court of Overton to lay a tax for certain purposes.

A bill for the relief of Andrew Taylor.

A bill for the relief of C. F. M. Goodrum.

A bill to appoint counsel to manage suits brought against purchasers of public lands by Indian Reserves.

A bill to encourage domestic manufactures.

A bill for the relief of the Murfreesboro Centinels.

A bill for the relief of the persons therein named.

A bill for the relief of Wilson Cage, and

A bill to incorporate the town of Memphis,

Were severally read a third time and last time passed and ordered to be engrossed.

A bill to authorize the justices of Greene county to class themselves,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to amend the registration laws, was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill giving further time to make surveys and obtain grants on entries north and east of the congressional reservation line under the act of 1825.

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to authorize Matthew English to open a turnpike road.

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to amend an act to improve the navigation of Wolf river,

Was read a third time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill further to amend an act for the relief of insolvent debtors,

Was read a second time,

And the question being stated.

Shall the said bill pass?

It was determined in the negative,

A bill to provide for the payment of the officers detailed for the trial of brigadier general James Bradford,

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

A bill to incorporate the medical society of Tennessee.

Was read a second time,

And the question being stated:

Shall the said bill pass?

It was determined in the negative.

And so the said bills were severally rejected.

And then the house adjourned.

MONDAY, DECEMBER 11, 1826.

Mr. Fletcher from the committee for enrolled bills, reported an act for the relief of Robert Craig.

An act for the relief of Richard Belcher.

An act to authorize Jesse Savage to open a turnpike road.

An act to authorize suits to be brought against several executors in certain cases.

An act to prevent nuisances in the water courses of this state.

An act for the relief of William Philips late sheriff of Hickman county.

An act for the relief of securities in certain cases.

An act for the relief of William Gann.

An act for the benefit of common schools.

An act for the relief of Banks M. Burrow.

An act to authorize a lottery to build a bridge across Cypress creek in Humphreys county.

An act to authorize the county court of Overton to lay a tax for certain purposes.

An act for the relief of Andrew Taylor.

An act for the relief of C. F. M. Goodrum.

An act to appoint counsel to manage suits brought by reservees against purchasers of the public lands.

An act to encourage domestic manufactures.

An act for the relief of the Murfreesboro Centinels.

An act for the relief of the persons therein mentioned.

An act for the relief of Wilson Cage.

An act to incorporate the town of Memphis.

The speaker signed the said bills.

Ordered, that the clerk do carry the said bills to the senate.

A bill for the benefit of William B. Clayton.

A bill for the benefit of Philip J. Smith.

A bill to repeal an act entitled an act directing certain papers to be read in evidence in suits concerning reservations taken under the late treaty with the Cherokee Indians passed 1825, and

A bill for the benefit of persons having fractions of warrants,

Were severally read a third time and last time passed and

Ordered to be engrossed.

A bill to regulate the duty of jailors and ameliorate the condition of criminals.

A bill to amend an act supplemental to an act for the encouragement of Iron Works.

A bill giving further time to make surveys.

A bill for the benefit of the clerk of the circuit court of M'Minn county.

A bill providing further time to make surveys and return plats and certificates,

Which bills were severally read a third time and passed.

Ordered that the clerk do carry the said bills to the senate.

Mr. Williamson introduced a resolution referring grant 1697.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered, that the clerk ask the concurrence of the senate in said resolution.

The house took up a bill to prevent the depreciation of the Nashville Bank notes in the hands of the good people of this state.

Mr. Buchanan made a motion to amend the said bill by the insertion of a section directing the said bank notes, to be taken in payment of taxes due the state, by the people.

And the question being taken thereon.

It passed in the negative.

The said bill was then read a third and last time.

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative.

Yeas 26, Nays 10.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Brady,	Mr. Balch,
Batson,	Crisp,
Brabson	Fletcher,
Buchanan,	Frazier,
Camp,	Gibbs,
Cheatham,	Graham,
Desha,	Lytle,

Douglass,
Dulany,
Hardin,
Huling,
Kelly,
Kincaid,
M'Farland,
McClain,
McIver,
Martin,
Massengill,
Moore,
Parsons,
Stuart,
Thomas,
Thompson,
Tunnell,
Turney &
Williamson—26

McAlister,
Reneau,
Tipton, &
White—10.

Ordered, that the said bill be engrossed.

A bill to regulate the sitting of the courts in the western district.

A bill to fix permanently the seat of justice in Shelby county.

A bill to amend the penal laws of this state was read a third time:

And the question being stated:

Shall the said bill pass?

It was determined in the affirmative,

Yeas 26, Nays 9.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative are,

Mr. Speaker Brady,
Batson,
Balch,
Brabson,
Buchanan,
Camp,

Those who voted in the negative are;

Mr. Dulaney,
Fletcher,
Frazier,
Lytle,
McClain,
McIver,

Cheatham,
Crisp,
Desha,
Douglass,
Gibbs,
Graham,
Hardin,
Huling,
Kelly,
Kincaid,
McAlister,
Massengill,
Moore,
Reneau,
Thomas,
Thompson,
Tunnell,
Turney,
Williamson &
White—26.

Parsons,
Stuart, &
Tipton, —9.

The house took up a bill to appropriate money to pay the expenses of the present session of the general assembly.

Mr. Fletcher offered an amendment appropriating a sum for the payment of the postage of the several members during the session.

And the question being stated thereon:

It passed in the negative.

Yeas 16, Nays 19.

The yeas and nays being demanded by the constitutional number of members,

Those who voted in the affirmative, are

Mr. Speaker Brady,
Balch,
Crisp,
Dulany,
Fletcher,
Frazier,
Gibbs,

Those who voted in the negative, are

Mr. Batson,
Brabson,
Buchanan,
Camp,
Cheatham,
Desha,
Douglass,

Huling,
Kelly,
Kincaid,
*M'*Alister,
*M'*Iver,
Parsons,
Reneau,
Turney--16.

Graham,
Hardin,
Lytle,
McClain,
Massengill,
Moore,
Stuart,
Thomas
Thompson,
Tunnell,
Williamson &
White—19.

The said bill was then read a third time and passed.

Ordered, that the clerk do carry the said bill to the senate.

Mr. White introduced

A resolution authorizing a reference of certain certificates.

And the question being taken on agreeing thereto,

It passed in the affirmative.

Ordered that the clerk ask the concurrence of the senate in said resolution.

Mr. Buchanan introduced

A resolution referring sundry grants for adjudication.

And the question being taken thereon,

It passed in the affirmative.

Ordered that the clerk ask the concurrence of the senate in said resolution.

A message from the senate by Mr. Dance their clerk.

Mr. Speaker:

The senate concur in the several resolutions passed by the house of representatives on this day.

The senate have passed a resolution requiring the treasurer of East and *W*est Tennessee to give information relative to the school lands--also

A memorial to the Congress of the United States, also

A resolution to print the bank bill—also

A resolution appointing a committee to wait on the governor to inform him that the two houses are about to adjourn without day, having finished the business before them, and know of him whether he has any further communications to make to the general assembly.

And then he withdrew; when,

The house took up the resolutions contained in the senate's message.

And the question being taken on agrreing to said resolutions,

It was determined in the affirmative.

Ordered that the clerk acquaint the senate therewith.

A message from the senate by *Mr.* Dance their clerk:

Mr. Speaker,

The speaker of the senate did this day sign enrolled bills entitled

An act for the relief of the heirs of John *Weems*,

An act to authorize George Sharp and others to build a fish trap in Powell's river,

An act for the benefit of Isaac & Elizabeth Pearce, and others,

An act to authorize Thomas *McBath* to hawk and peddle without license,

An act to incorporate the subscribers to the Nashville insurance company in the state of Tennessee,

An act concerning a well to be dug in the town of Lawrenceburgh in the county of Lawrence,

An act to establish the lines between the counties of White and Bledsoe,

An act for the relief of Robert L Cobbs and others,

An act to authorize Reuben Ross to enter certain lands

An act for the benefit of Frederic A. Ross of Hawkins county,

An act to authorize James Street and Alexander Street to build a mill on Duck River in Bedford county near the Maury county line,

An act to revive an act passed August 23d. 1822, entitled an act for the relief of Valentine & Charles Sevier,

An act for the benefit of Francis Moore and Robert C. Davis,

An act to establish a third battalion in the ninth regiment of Tennessee militia,

An act to amend an entitled an act to incorporate the inhabitants of Nashville,

An act for the benefit of Mark P. Duncan,

An act for the benefit of James Bradford, sheriff of Jefferson county,

An act for the relief of Philip Maury,

An act concerning the public highways of Tipton county,

An act to authorize raising a rifle company in the fourteenth and ninety-fifth regiments of Tennessee militia.

An act for the benefit of Jesse Williams,

An act for the relief of John Parks,

An act to authorize Matthew W. Wright to build a toll bridge,

An act authorizing a resurvey of Overton county,

An act for the relief of Michael Reed, Franklin Whitaker and John Gee.

An act to extend the limits and incorporate the inhabitants of the town of Covington in the county of Tipton,

An act to repeal an act eutitled an act for the relief of certain purchasers of land in the Hiwassee District and for other purposes,

An act for the benefit of John P. Dix,

An act to authorize John Brown & Robert Burke to open and keep in repair a turnpike road,

An act to authorize *Wiley* Ledbetter to hawk and peddle without license,

An act for the benefit of *A.* Crockett,

An act for the relief of the sheriff of Carroll county and for other purposes,

An act to incorporate the Mount Cumberland academy in the county of Fentress,

An act for the relief of A. P. Maury and John Fitzgerald.

An act to repeal an act entitled an act to extend the town of Gallatin in the county of Sumner passed at Murfreesborough, Nov. 16. 1821,

An act to incorporate the town of Trenton in the county of Gibson,

An act to authorize a lottery for the county of Henderson,

An act to amend an act entitled an act to incorporate a company for opening a turnpike road from Nashville to Columbia, passed Nov. 19 182 .

An act to legalize the proceedings of *William* Tyrrell, who was appointed a justice of the peace for Obion county,

An act to repeal part of an act authorizing Reuben Ross to build a bridge across the Caney Fork.

An act for the relief of the Nashville Bridge Company,

An act for the relief of Dempsey Odam, the only heir and legal representative of Lewis Odam deceased.

An act to authorize Nathan Haggard and James McKinley to open a turnpike road,

An act for the benefit of the corporations of Blountsville and Kingsport.

An act to revive an act entitled an act to provide for running the line between the counties of Jackson and *White*, passed Dec. 3, 1825

An act to establish an academy at Covington in the county of Tipton.

An act to establish the town of Russellville in the county of Jefferson.

An act for the relief of A. N. Montgomery.

An act authorizing the creation of a volunteer company of artilery in the town of Paris.

An act supplemental to an act entitled an act to authorize Charles Gamble, Crispan E. Shelton and John Witt to open and establish a turupike road.

An act concerning a mill dam which has been unlawfully built across Elk river by Stephen Cole.

An act to amend an act passed at Murfreesboro' 1825, entitled an act to make it the duty of the registers in this state to correct errors committed in the issuance of certain grants.

An act to alter the time of holding the courts therein mentioned.

An act concerning costs in certain cases.

An act to diminish costs in suits.

An act requiring security to be give5 in suits by motion.

An act to confirm and make good all grants issued by the state of North Carolina.

An act explanatory of an act passed at the present session of this general assembly.

An act to make lawful grants and entries to land within five miles of the falls of caney fork.

An act for the relief of those citizens in the Hiwassee district, who are sued by Indian reservees for their lands.

An act to amend an act entitled an act supplemental to an act entitled an act to settle the claims of North Carolina, and for the benefit of the occupants of the western district passed at the last session of the general assembly.

An act to suspend the sale of the school lands and collect the rents.

An act to prescribe the duty of commissioners hereafter to be appointed by the county courts in receiving and reporting a list of the taxable property therein named.

An act to authorize the payment of certain expenses, and

The speaker signed the said enrolled bills mentioned in the senate's message.

Ordered, that the clerk deposit said bills in the office of secretary of state.

On motion of Mr. Frazier,

Resolved, that the thanks of this house be presented to Mr. Speaker Brady for the impartial and dignified manner in which he has discharged the duties of the chair at the present session.

Mr. Huling from the committee appointed to wait on the governor reported, that the committee had performed the service assigned them, and received for answer that the governor had no further communication to make to the general assembly at the present session.

Ordered, that the clerk inform the senate that this house is now ready to adjourn without day.

A message from the senate.

The senate are also ready to adjourn without day.

WM. BRADY, Speaker.

THOMAS J. CAMPBELL,
Clerk of the House of Reresentatives.

JOURNAL

OF THE

COMMITTEE OF THE WHOLE

OF BOTH HOUSES,

ON THE RESOLUTION FOR THE CALL OF A

CONVENTION.

In conformity with a joint resolution adopted on the 21st ult. by both branches of the general assembly. The speaker and gentlemen of the senate, this day at the hour of 11 o'clock A. M. being the 9th day of November 1826, repaired to the hall of the House of Representatives for the purpose of taking into consideration, the propriety and expediency of recommending to the electors, at the next general election to vote for or against a call of a convention and were invited to seats within the hall.

The resolution convening the two houses was then read at the clerks table—when,

On motion of Mr. Camp, of the House of Representatives,

The two houses resolved themselves into a committee of the whole, and Mr. Hall of the senate was called to the chair.

On motion of Mr. Brady of the House of Representatives.

Ordered, that the clerks of the senate and the clerk of the House of Representatives, each, keep a journal of the proceeding of this committee and that the same be printed and appended to their respective journals.

Mr. Camp (of the House of Representative) submitteed the following resolution;

Resolved, by the general assembly of the state of Tennessee, (two thirds of the general assembly concurring therein) that it be, and is hereby recommended to the good people of this state, at the general election in August 1827 to vote for or against the call of a convention to revise the constitution of this state.

Which was read at the clerks table,

And the question thereon was taken,

Will the committee adopt said resolution,

And determined in the affirmaiive,

There being ayes 43, noes 17.

The ayes and noes being required,

Those who voted in the affirmative are,

Messrs. Speaker Foster, Brown, Bradford, Frey, Gass, Hall, Hughes, Johnson, M'Clanahan, M'Means, Nelson, Reynold, Simpson, Smartt and Walker, of the Senate.

Messrs. Speaker Brady, Batson, Balch, Buchanan, Camp, Cheatham, Crisp, Desha, Douglass, Fletcher, Fitzgerald, Frazier, Gibbs, Graham, Hardin, Huling, Kelly, Kincaid, Lytle, M'Alister, M'Clain, Martin, Moore, Perkins, Thomas, Thompson, Williamson and White, of the House of Representatives—43

[illegible] in the negative are,

[illegible]

[illegible] — 17

And so the said resolution was adopted, two thirds of the general assembly having voted therefor, as required by the constitution of this state.

On motion of Mr. Fletcher of the house of representatives, the committee rose, and the speakers resumed their chairs, when Mr. Hall reported that the committee had adopted a resolution recommending to the electors at the next general election to vote for or against a call of a convention.

Which report was concurred in by both branches of the general assembly.

And then the speaker and gentlemen of the senate returned to their own chamber.

W. HALL, Chairman
of the Committee.

RUSSELL DANCE, Clerk of the Senate.

THOMAS J. CAMPBELL,
Clerk of the House of Representatives.